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# CLASSICAL PHILOLOGY

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*A Quarterly Journal* devoted to re-  
search in the Languages, Literatures,  
History, and Life of Classical Antiquity

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# CLASSICAL PHILOLOGY

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Vol. XXIV

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# CLASSICAL PHILOLOGY

Volume XXIV

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## THE TEXT TRADITION AND AUTHORSHIP OF THE *LAUS PISONIS*

By B. L. ULLMAN

THE varying fortunes of the literary productions of antiquity are of peculiar interest. Just why some bits have survived while others have perished is often a mystery, though one which can sometimes be solved by the approved methods of philological detectives. Again, among the surviving works some are highly favored, while others no less beautiful, or let us say no more ugly, are neglected and treated like stepchildren. Take as examples two panegyrics in verse form, both anonymous, one that of Messalla, the other of Calpurnius Piso. The former has survived through its inclusion in the collection of Tibullus' poems and is reprinted in every new edition of that writer; the latter has no such intimate connection with an important author and is rarely reprinted.

The panegyric of Piso was first published by Sichard in his edition of Ovid (Basel, 1527). He used as a basis a Lorsch manuscript which has since disappeared. No other complete manuscript is known. The only manuscripts in existence today are a group of *florilegia* which give, though in places in an adapted form, 196 out of the 261 verses.

Sichard tells us that in his manuscript the poem was attributed to Virgil, but since he published it in an edition of Ovid and since the *florilegia* name its author as Lucan, it has failed to find a permanent home in the works of any of these authors.

As to the author, it is now rather generally agreed that he lived in the first century of our era<sup>1</sup> and that the subject of the panegyric is

<sup>1</sup> Schanz, *Gesch. d. röm. Litt.*, II, 2 (1913), 96; G. Martin, *Laus Pisonis* (Cornell diss., 1917), p. 20.

the Calpurnius Piso who was the leader in the conspiracy that brought about his death and that of Seneca and Lucan in the year 65. This date is therefore a *terminus ante quem* for the poem.

As just stated, the lost Lorsch manuscript attributed the poem to Virgil. It is perhaps likely on a priori grounds that the manuscript contained also the minor works of Virgil. There is evidence as well as likelihood in favor of this suggestion, as we shall now see.

Apparently in the same Lorsch manuscript Sichard found twenty lines of epigrams about Virgil attributed to Ovid.<sup>1</sup> While these verses are found in manuscripts of Virgil's major works and in other manuscripts, there is at least one group of manuscripts which contains them (ten lines only) together with some of the poems of the *Appendix Vergiliana*.<sup>2</sup> It might even be fairly inferred from Sichard's words that the Ovidian verses preceded the panegyric.<sup>3</sup> He also printed them before that poem. If this inference is correct, it is likely that the Ovidian verses were followed by the minor poems of Virgil (as in the *iuvenalis ludi libellus*) and these in turn by our poem. Sichard said nothing about the Virgilian poems because they were already known.

The only mediaeval reference to the minor poems of Virgil is in a ninth-century catalogue of the monastery of Murbach:

279. Virgilius Bucolicon. 280. Georgicon. 281. Liber Eneydos. 282. Eiusdem Dire, Culicis, Ethne, Copa, Mecenas, Ciris, Catalepton, Priapeya, Moretum.<sup>4</sup>

Now Lorsch was not very far from Murbach, and it is safe to assume that copies of most of the works existing in either monastery found their way into the other.<sup>5</sup>

<sup>1</sup> P. Lehmann, *Johannes Sichardus* ("Quellen u. Untersuchungen z. lat. Philologie des Mittelalters," IV, 1), p. 144. The lines are given in Baehrens, *PLM*, Vol. IV, No. 176, vss. 1-20.

<sup>2</sup> The group is described by F. Vollmer in "P. Virgilii Maronis iuvenalis ludi libellus," *Sitzungsber. Kgl. Bayer. Akad. d. Wiss.* (Phil. Hist. Kl., 1908), Abh. 11.

<sup>3</sup> So Baehrens assumed without question, as shown by his expression *praecedit* (*op. cit.*, I, 222). Baehrens, too, thought that the verses and the *Laus* were in a manuscript containing the minor works of Virgil.

<sup>4</sup> H. Bloch in *Strassburger Festschrift z. XLVI. Versammlung deutscher Philologen u. Schulmänner* (1901), pp. 257 ff.

<sup>5</sup> Cf. Bloch, *op. cit.*, p. 279: "Der umfangreichste karolingische Bibliothekskatalog, das 'Breviarium codicum monasterii s. Nazarii in Laurissa,' zeigt den allergrössten Teil der in Murbach vertretenen Bücher auch im Besitz des Klosters Lorsch." To be sure, the minor poems of Virgil are not found in this catalogue, but neither is the *Laus Pisonis*. These works may have come to Lorsch somewhat later.

To sum up at this point: The Lorsch manuscript attributed the poem to Virgil. It also contained certain verses about Virgil. General probability suggests that it also contained the minor poems of Virgil. In a number of existing manuscripts the verses about Virgil are found with the minor poems. The only mediaeval reference to the minor poems is in a catalogue of Murbach, which is not so far away from Lorsch.<sup>1</sup>

So far we have been dealing only with possibilities in regard to the position of the *Laus Pisonis* among Virgil's works. What I have been leading up to is to point out the significance of the position and title of our poem in the *florilegia*. Here we find selections from the *Culex* and *Aetna* followed by the *Laus Pisonis* with the heading "Lucanus in Catalepton" and the title *De laude Pisonis*, etc.<sup>2</sup> The first line under this is one from the *Ciris*, followed by the lines from the panegyric. Obviously our poem is here mixed up with the Virgilian *Catalepton* and *Ciris*. Thus the *florilegia* point to association of our poem with the minor works of Virgil in some earlier manuscript and account for the attribution of our panegyric to Virgil in the Lorsch manuscript. The same is indicated by the only mediaeval reference to the panegyric, in a French catalogue of the eleventh century: *Liber Catalepton Pisoni*.<sup>3</sup>

There is a further indication of relationship between the *florilegia* and the Lorsch-Murbach tradition (if we are right in assuming the identity of the traditions at Lorsch and Murbach). The order of the works cited in the *florilegia* is *Culex*, *Aetna*, *Ciris*, *Catalepton* (or possibly *Catalepton*, *Ciris*). The same order is found in the Murbach catalogue already cited. No existing manuscript of those reported by Ribbeck, Baehrens, and Vollmer has this order except one (Wolfenbüttel, Helmstadt 332).<sup>4</sup>

<sup>1</sup> Both monasteries were near the Rhine, a much-frequented thoroughfare during the Middle Ages.

<sup>2</sup> See p. 113.

<sup>3</sup> Delisle, *Le Cabinet des manuscrits*, II (1874), 447, No. 88, and Manitius in *Rhein. Mus.*, XLVII, *Ergänzungsheft*, p. 52.

<sup>4</sup> Schenkl in his edition of Calpurnius (Leipzig, 1885, p. xlviii) thinks that the sequence of citations in the *florilegia* shows that a single volume contained Petronius, the minor poems of Virgil, the panegyric of Piso, Calpurnius, and Nemesianus. He points out that Paris 8049 contains selections from Petronius and Calpurnius, the first and last (if we count Calpurnius and Nemesianus as one) in the foregoing list. One

It seems, then, that the *florilegia* are of value in explaining the false attribution to Virgil. Do they help us in the more important question of determining the identity of the author? The attribution to Lucan which they make seems not to have been taken seriously until recently. Miss Martin<sup>1</sup> has shown the weakness of the objections to this attribution and has listed a number of verbal similarities between the panegyric and the *Pharsalia*. Several of these are rather striking: *purpura fasces* occurs at the end of a line in *L.P.* 70 and Lucan ii. 19. Again, the sentence *fessa labat mihi pondere cervix* (*L.P.* 75) suggests Lucan iv. 754, *fessa iacet cervix*, and ii. 204, *dubiaeque labant cervice*.<sup>2</sup> It should be added that Miss Martin merely presents the evidence and does not feel justified in deciding the issue.<sup>3</sup>

To come back to the *florilegia*, the attribution of our poem to Lucan is due either to correct tradition or to the fact that some reader correctly concluded that the Piso referred to was the conspirator of the year 65 and recalled that Lucan took part in that conspiracy. The former alternative certainly seems more probable, if we grant that the internal evidence does not make the attribution impossible. This evidence will be discussed later in this paper.

Two Paris *florilegia* (7647, 17903) have been used to support the text based on the Lorsch manuscript. In addition, editors have used the readings of a Codex Atrebatensis reported by Hadrianus Junius in his *Animadversorum Libri* (1556). This manuscript has been supposed to be lost. Baehrens says of it<sup>4</sup> that it *mire convenit* with the *florilegia*, and that it was either the Paris manuscript 7647 itself or

recalls also that Poggio found Calpurnius and Petronius in England, though it is not certain that they were in one manuscript (cf., e.g., Sage in *Class. Phil.*, XI [1916], 16). On the other hand, Poggio found a portion of Petronius at Cologne, which, because of its location on the Rhine, might have had contact with Lorsch and Murbach, where the *Laus Pisonis* and the Virgilian poems existed.

<sup>1</sup> *Op. cit.*, pp. 28 ff.

<sup>2</sup> On Lucan's repetition of word combinations see Haskins' edition, p. lxxxiii.

<sup>3</sup> Another similarity which has not been noted is the following:

"possessaque pectora ducis  
Victor; sponte sua sequitur" (*L.P.* 44-45).

"cum mare possidet Auster  
. . . hunc aequora tota sequuntur" (*Phars.* ii. 444-45).

<sup>4</sup> *Op. cit.*, I (1879), 224.



certainly a copy of it. Miss Martin refutes this,<sup>1</sup> and declares that it is quite possible that the lost manuscript contained the entire poem.

It seems not to have occurred to anyone that the "lost" *Atrebatensis* might still be in existence, much less that it might still be in the town where Junius saw it. Now "*Atrebatensis*" refers to the northern French town of Arras, and in the library of Arras there is a *florilegium* (64) of exactly the same type as those in Paris.<sup>2</sup> Presumably it has been in that town ever since Junius heard of its presence there 374 years ago! Thus endeth another dispute.

A fourth member of this group of *florilegia* is in the Escorial (Q.I. 14). This, too, has not been used for the text of the *Laus Pisonis*.<sup>3</sup>

A Berlin *florilegium* (Diez. B. 60, f. 29) contains a few lines. This manuscript is closely related to and probably descended from the Escorial manuscript. Its readings for the panegyric were reported by Peiper in his edition of the *Aulularia* (*Querolus*) (1875), page xvi.

Since these *florilegia* are the only existing manuscripts containing the panegyric, it seems worth while to print a restoration of their archetype, after which I shall discuss pertinent points.<sup>4</sup>

The running head "Lucanus in Catalecton" is found three times in *p*, twice in *a*, once in *e* (which also has merely "Lucanus" once). There are no running heads in *n*, and it could therefore be argued that the running head goes no farther back than the common archetype of *e p a*. We might grant the possibility that the attribution to Lucan goes no farther back than that if it were not for the words in *Catalecton*. No explanation for this can be found in the *florilegia* themselves, and therefore the entire running head must go back to the archetype of all the *florilegia*.

<sup>1</sup> *Op. cit.*, p. 9.

<sup>2</sup> Cited by me, apparently for the first time in centuries, in *Class. Phil.*, XXIII (1928), 130 ff.

<sup>3</sup> I used it for Tibullus in the article just referred to.

<sup>4</sup> The following abbreviations are used: *n*=Paris 17903; *e*=Escorial; *p*=Paris 7647; *a*=Arras; *b*=Berlin. It has seemed worth while to reproduce variants and notes written in the sixteenth century, especially in *p*. These are indicated by a superscript *r* (for *manus recens*): *p*<sup>r</sup>. These variants are taken from the printed editions, of course, but may be of value in determining the ownership of the *florilegia*. Wrong reports in Baehrens are usually pointed out in my apparatus. For other details in regard to the apparatus, see my paper on Tibullus, *op. cit.*, p. 134.

*De laude Pisonis non tantum genere clari set etiam virtute  
multiplici*

- Ciris* 339 Nichil est quod textitur ordine longum.  
 ¶ Unde prius cepti surgat mihi carminis ordo  
 Quosve canam titulos dubius feror. hinc tua Piso  
 Nobilitas veterisque citant sublimia Calpi  
 Nomina Romanas inter fulgentia gentes,  
 5 Hinc tua me virtus rapit et miranda per omnes  
 Vita modos; que si deesset tibi forte creato  
 Nobilitas, eadem pro nobilitate fuisset.  
 Nam quid imaginibus, quid avitis fulta triumphis  
 Atria, quid pleni numeroso consule fasti  
 10 Profuerint cui vita labat? perit omnis in illo  
 Nobilitas cuius laus est in origine sola.  
 Felix qui claris animum natalibus equas  
 13 Et partem tituli, non summam, ponis in illis.  
 26 ¶ tamen et si bella quierunt  
 Non periit virtus; licet exercere togate  
 Munia militie, licet et sine sanguinis haustu  
 Mitia legitimo sub iudice bella movere.  
 30 Hinc quoque servati contingit gloria civis  
 31 Altaque victrices intexunt limina palme.

(*tit.*) In cruri [*i.e.*, Ciri] de laude, *etc.* *n.*—dari *n a* corr. *n<sup>2</sup> a<sup>2</sup>*.—in fine Lucanus  
*e in principio b.*

1-4 *om. b.*

1 ¶ *om. n p a.*

2 vitulos *n* corr. *n<sup>1</sup>*.

3 calphi *e.*

4 romanos *et i. m. a n<sup>2</sup>*.

5 Hic *n.*—¶ Tua est miranda per omnes *b.*

6 si *om. p.*—deēt (=deesset) *n a* deest *p.*—ubi *p.*—f̄ronte *n.*

8 ymaginibus *b.*

10 *ex* Profuerunt corr. *b.*

12 ¶ *b.*—claris] *i. m.* tantis *p<sup>r</sup>*.

13 ponā ante summam statim del. *b.*—ponit *n i. m. d. s n<sup>2</sup>*.

26-38 *om. b.*

26 Tamen *n e.*—et non *om. n*, ut Baehrens dicit.—querunt *e q(ui)uierunt a.*

27 virtus *om. p.*—leceat *a* corr. *a<sup>1</sup>*.

28 *i. m.* Munera *p<sup>r</sup>*.—milicie *a.*—sanguine *p* corr. *p<sup>2</sup>*.—hastu *e a* hustu *p* corr.  
*e<sup>2</sup> p<sup>1</sup> a<sup>2</sup>*.

29 indice *p a* corr. *a<sup>1</sup>*.

31 vitrices *e.*—lumina *e.*

*De eloquentia eiusdem Pisonis*

- 37 ¶ Queque patrum claros quondam visura triumphos  
 Omnes turba vias impleverat agmine denso,  
 Ardua nunc eadem stipat fora cum tua mestos  
 40 Defensura reos vocem facundia mittit.  
 44 Laudibus ipsa tuis resonant fora. tu Piso  
 45 Iudicis affectum possessaque pectora ducis  
 Victor. sponte sua sequitur quocumque vocasti.  
 Flet si flere iubet, gaudet gaudere coactus  
 Et te dante capit iudex quam non habet iram.  
 Sic auriga solet ferventia Thessalus ora  
 50 Mobilibus frenis in aperto flectere campo  
 Qui modo non solum rapido permittit habenas  
 Quadrupedi sed calce citat, modo succutit arce  
 Flexibiles rictus et nunc cervice rotata  
 Incipit effusos in girum carpere cursus.  
 55 Quis non attonitus iudex tua respicit ora?  
 Quis regit ipse suam nisi per tua pondera mentem?  
 Nam tu sive libet pariter cum grandine nimbos

37 (*tit.*) p(er)sonis a p(er)sonis<sup>e</sup> a<sup>2</sup>.

37 ex visus statim corr. p<sup>1</sup>.

38 Omnes] i.m. olim p<sup>r</sup>.

39 ¶ Cum incipit b.—i.m. hic commendat Pisonem de eloquentia b.—cum tua mestos i.r. p<sup>1</sup>.—messos n.

40 Defensura reos vo i.r. p<sup>1</sup> (*scribere coepit* Iudicis affectum [*vid. vs. 45*]).—facondia p.

41–45 om. b.

44 fora ex tu statim corr. n.—in sp. rel. quoque a<sup>2</sup> (*man. vetus*) p<sup>r</sup> i.m. n<sup>r</sup>.—mso a piso a<sup>12</sup>.

45 pector p a pectora p<sup>2</sup> a<sup>2</sup>.—ducis i.r. p (*non erat tentas*).

46 Iudex sponte b.—tua n.

47 iubet n a iubes e p a<sup>1</sup> b.

48 iram ante iudex del. et exp. b.—non om. b.

49–111 om. b.

49 ariga e corr. e<sup>1</sup>.—thessalus e.—ras. post Thessalus (*erat h?*) p.

50 Nobilibus n.

52 Quadrupedi p.—succedit a subripit a<sup>2</sup>.—arce n (*non arte*) i.m. torquet in auras p<sup>r</sup>.

53 Flexibiles et i.m. d. f n<sup>22</sup>.—rotata p<sup>2</sup> i.m. o p<sup>r</sup>.

54 effusos (u i.r.) e efusos p et fusos a.

55 index n corr. n<sup>1</sup>.

56 per petua exp. a<sup>1</sup>.—pondere et i.m. a n<sup>2</sup>.

- Densaque vibrata iaculari fulmina lingua,  
 Seu iuvat astrictas in nodum cogere voces  
 60 Et dare subtili vivatia verba cathene,  
 Vim Laerciade, brevitatem vincis Atride;  
 Dulcia seu mavis liquidoque fluentia cursu  
 Verba nec incluso sed aperto pingere flore,  
 Inclita Nestorei cedit tibi gratia mellis.  
 65 Nec te, Piso, tamen populo sub iudice sola  
 Mirantur fora sed numerosa laude senatus  
 67 Excipit et meritas reddit tibi curia voces.  
 84 Huc etiam tota concurret ab urbe iuventus  
 85 Auditura virum si quando iudice fesso  
 Turbida prolatis tacuerunt iurgia rebus.  
 Tunc etenim levibus veluti proludit in armis  
 Compositisque suas exercet litibus artes.  
 Quin etiam facilis Romano profluit ore  
 90 Grecia Cicropieque sonat gravis emulus urbi.  
 94 Vocibus hinc solido fulgore micantia verba  
 95 Implevere locos, hinc exornata figuris  
 Advolat excusso velox sententia torno.

*Diligentius hic incipit enumerare optimos eius mores*

- ¶ Magna quidem virtus erat et si sola fuisset  
 Eloquio sanctum modo permulcere senatum  
 Exhonerare pios modo, nunc honerare nocentes;  
 100 Sed super ista movet plenus gravitate serena

- 58 vibrati *n.*—fulmine *n.*—lingua] dextra *e p a* (*non n*, ut Baehrens dicit) *i.m.*  
 lingua *p<sup>r</sup>.*  
 59 vivat *e.*  
 60 vivati *e* vivatia *e<sup>1</sup>* vivati (?) *a* vivacia *a<sup>2</sup>.*—ūmba *n.*  
 61 Vir *e* VΞ *e<sup>1</sup>.*—laertiade *p.*—vincit *e p a* *corr.* *a<sup>2</sup> i.m.* (*vin*)cis *p<sup>r</sup>.*  
 62 Dultia *e.*  
 64 decedit *n.*  
 65 ipso *p* *corr.* *p<sup>2</sup>.*  
 84 Hūc *n.*  
 86 *i.m.* res prolatae *p<sup>r</sup>.*—iurgia *ex ur statim* *corr.* *p.*  
 87 pludit *n* *corr.* *n<sup>1</sup>.*  
 88 *i.m.* d' (=deficit) *n<sup>2</sup>.*—letibus arces *n.*  
 90 Gretia *n e.*—cicropieque *n* cicropéique *et i.m.* ijs *n<sup>2</sup>.*  
 94 hinc *a* hic (*non* huic) *n* hinc *vel* huic *p* huic *e.*—fulore *e.*  
 95 locos *a* iocos *a<sup>2</sup>.*—hinc *a* hic *n* huic *e p.*—exhornata *p.*  
 96 torvo *e p.*  
 97 (*til.*) mores eius *e.*  
 99 Exonerare *n.*—honorare *n* honerare *n<sup>1</sup>?*  
 100 monet *n* movet *n<sup>2</sup>.*



- Vultus et insigni prestringit imagine visus.  
 Talis inest habitus qualem nec dicere mestum  
 Nec fluidum, leta sed tetricitate decorum  
 Possumus; ingenite stat nobilitatis in illo  
 105 Pulcher honos et digna suis natalibus ora.  
 Additur huc et iusta fides et plena pudoris  
 Libertas animusque mala ferrugine purus,  
 Ipsaque possesso mens est opulentior auro.  
 Quis tua cultorum, iuvenis facunde, tuorum  
 110 Limina pauper adit quem non animosa beatum  
 Excipit et subito iuvat indulgentia censu?

*Quam sincerus esset in dilectione amicorum*

- ¶ Quodque magis dono fuerit pretiosius omni,  
 Diligit ex equo nec te fortuna colentum  
 Natalesve movent; probitas spectatur in illis.  
 115 Nulla superbiorum patiuntur dicta iocorum,  
 Nullius subitos affert iniuria risus;  
 Unus amicitie summos tenor ambit et imos.  
 Rara domus tenuem non aspernatur amicum  
 Raraque non humilem calcat fastosa clientem;  
 120 Illi casta licet domus et sine crimine constet  
 Vita, tamen probitas cum paupertate iacebit.

- 102 ducere *n.*  
 103 tetricitate *e.*  
 104 stabilitatis *p i.m.* stat nobilitatis *p<sup>r</sup>.*  
 105 Pulcer *p.*  
 106 Aditur *e.*  
 108 mens (*vel* meus) *ex p statim corr. a<sup>1</sup>.*  
 109 faconde *p fatunde (e i.r.) e.*  
 110 Lumina *e.*—ad id *e* adid *p* adid<sup>t</sup> *p<sup>2</sup>.*  
 111 vivat *e.*—*incertum est utrum e censu an sensu habeat.*—*i.m.* (cen)sus *p<sup>r</sup>.*  
 112 (*tit.*) *om. b.*  
 112 ¶ *om. p.*—dono magis *p lineolis // corr. et magis supra dono scripsit p<sup>1</sup> magis*  
*eras. et litteras b a sscr. p<sup>r</sup>.*—fauit(?) *p* fuint (= fuerit) *p<sup>2</sup> fuerat b.*—preciosius  
*e p a b.*—omni *sscr. e<sup>1</sup>.*  
 113 Diligis *e<sup>2</sup> a<sup>2</sup> i.m. p<sup>r</sup>.*—te] eum *b.*—clientum *e p a b.*  
 114 in] et *b.*  
 115 paciuntur *e* spaciantur *b.*—verba *b.*—*i.m.* . . . . cum in vana gloria . . . .  
 Ind(e) letaris (?) d(e) i(n) Iuuenalis (?) *e<sup>r</sup>.*  
 116 Nullusubitos *e corr. e<sup>1</sup>.*  
 118 sublimis *supra Rara scripsit e<sup>r</sup>.*  
 119 humilem *ex n statim corr. a<sup>1</sup>.*  
 120 Illa *e p a b* Illi *n e<sup>2</sup> a<sup>2</sup>.*—*i.m.* Illic casta licet mens *p<sup>r</sup>.*—domus licet *b.*  
 121 victa *b.*—papertate *n.*

- Nullus iam lateri comitem circumdare querit  
 Quem dat purus amor  
 Nec quisquam vero pretium largitur amico  
 125 Quem regat ex equo vicibusque regatur ab illo  
 Sed miserum parva stipe ut pudibundos  
 Exercere sales inter convivia possit.  
 Ista procul labes, procul hec fortuna refugit,  
 Piso, tuam, venerande, domum, tu mitis et acri  
 130 Asperitate carens positoque per omnia fastu  
 Inter et equales unus numeraris amicos  
 Obsequiumque doces et amorem queris amando.

*Quod non vacaret otio sed pro loco et tempore honestis  
 exercitiis occupatus cum suis esset*

- ¶ Cuncta domus varia cultorum personat arte,  
 Cuncta movet studium; nec enim tibi dura clientum  
 135 Turba rudisve placet misero que freta labore  
 Nil nisi summoto novit precedere vulgo;  
 Sed virtus numerosa iuvat. tu pronus in omne  
 Pectora ducis opus seu te graviora vocarunt  
 Seu leviora iuvant. nec enim facundia semper  
 140 Adducta cum fronte placet. nec semper in armis

- 122 tam e p a eum b.—i.m. Sed lateri nullus p<sup>r</sup>.—lac'i (= laceri; cf. lat'i = lateri e)  
 b.—querit (non querat, ut Baehrens scripsit) n e p a b.  
 123 Quem ex Qui corr. e quam b.—pus p purus p<sup>2</sup>.—Sed quem tulit impia merces  
 i.m. add. p<sup>r</sup>.  
 124 vere n.—precium e p a b.—largiter b.  
 125 rogat e b.—vitibusque e.—rogatur e b.  
 126–28 om. b (ordo est: 125, 255, 129, etc.).  
 126 mirum a miserum a<sup>2</sup>.—stirpe p.—in spatio relicto munerat a<sup>2</sup> p<sup>r</sup>.—i.m. d'  
 (= deficit) n<sup>2</sup>.  
 128 alterum procul om. p.  
 129 Piso] ¶ Laudo b.—mittis b.  
 131 ut i.m. p<sup>r</sup>.—imus p.—numerabis e.  
 133–214 om. b.  
 133 (tit.) vocaret e corr. e<sup>2</sup>.—ocio pa.—honestis p.—exercitus n.—cum suis] cōfinis  
 (= cum vel confinis) n.—i.m. latus percutere Ter. Horat. latus fodere p<sup>r</sup> (vid.  
 vs. 144).  
 133 cunctorum p i.m. Cultorum ut supra [vs. 109] Quis tua cultorum etc. p<sup>r</sup>.  
 135 ruitve e p a i.m. rudis p<sup>r</sup>.—q̄ (= qui) n.—laborē e p a i.m. (labo)re p<sup>r</sup>.  
 136 summato e.—ex prece statim corr. p<sup>1</sup>.  
 137 Si n.  
 138 vocārī (= vocarunt) e p a vocarent n.  
 139 vivant e.—fatundia e facondia p.  
 140 cum] n̄ (= non) e p nō a i.m. cum p<sup>r</sup>.

- Bellica turba manet nec tota classicus horror  
 Nocte dieque gemit nec semper Gnosius arcu  
 Destinatus, exempto sed laxat cornua ferro  
 Et galea miles caput et latus ense resolvit.  
 145 Ipsa vices natura subit variataque cursus  
 147 Non semper fluidis adopertus nubibus ether  
 Aurea terrificis obcecat sidera nimbis.  
 Cessat hiems, madidos et siccatur capillos;  
 150 Ver fugit estates; estatum terga lacessit  
 151 Pomifer autumnus nimbis cessurus et undis.  
 155 Temporibus servire decet; qui tempora certis  
 Ponderibus pensavit eum si bella vocabunt  
 Miles erit; si pax positis toga vestiet armis.  
 Hunc fora peccatum, bellantem castra decebunt.  
 Felix illa dies totumque canenda per orbem  
 160 Que tibi vitales cum primum traderet auras  
 Contulit innumeras intra tua pectora dotes.

*Quod interdum gravis, interdum non ridiculose set decenter  
 esset urbanus*

- ¶ Mira subest gravitas inter fora, mirus omnia  
 Paulisper gravitate lepos. si carmina forte  
 Nectere ludenti iuvit fluitantia versu,  
 165 Aonium facilis deducit pagina carmen;  
 Sive chelidonium digitis et eburno verbere pulsas,  
 Dulcis Apollinea sequitur testudine cantus  
 Et te credibile est Phebo didicisse magistro.

- 141 classicus *a* corr. *a*<sup>2</sup>.  
 142 gemit] simul *n*.—*ex* artu corr. *a*.  
 143 Ddestinat *n*.—exempto *p* *a* (*non n*).—ferro] *i.m.* nervo *p*<sup>r</sup>.  
 144 caput *e*.  
 147 adoperta *n* corr. *n*<sup>2</sup>.  
 148 obsecat *e* obcecat *p* obcecat *p*<sup>1</sup>?.—sydera *e*.—mbris *a* mbris (= nimbis) *a*<sup>1</sup>.  
 149 hiemps *n* hiens *p* (hiēs *e*).  
 150 Per *n* corr. *n*<sup>1</sup>.—lacessit *p*.  
 156 cum *e* corr. *e*<sup>1</sup>.  
 157 vestiet (*non ex* gestiet corr., ut Baehrens dicit) *n* *i.m.* g(estiet) *p*<sup>r</sup>.  
 158 Tunc *n*.—peccatum *p*<sup>2</sup>.—docebunt *e* *p* *a*.  
 159 totum dies *n* lineolis corr. *n*<sup>2</sup> (que om.).  
 160 primum cum *e*.  
 162 (tit.) esse *p*.  
 164 vivit *e*.  
 165 deducit ita male scripsit *p* ut deducis facillime legi possit; *i.m.* t add. *p*<sup>r</sup>.  
 166 ub' in ul'nere (=vulnere) statim corr. *e* vulnere *p* *a* *i.m.* verbere *p*<sup>r</sup>.  
 167 apollinea *p*.

- Nec pudeat pepulisse liram, cum pace serena  
 170 Publica securis exultent otia terris.  
 173 Ipse fidem movisse ferox narratur Achilles.  
 176 Illo dulce melos Nereius extulit heros  
 Pollice terribilis quo Pelias ibat in hostem.

*Quam circumspectus animosus et promptus in  
 armis extiterit*

- 178 ¶ Armatos etiam si forte rotare lacertos  
 Inque gradum clausis libuit consistere membris  
 180 Et vitare simul, simul et raptare petentem,  
 Mobilitate pedum celeres super orbibus orbes  
 et obliquis fugientem cursibus urges  
 Et nunc vivaci scrutaris pectora dextra,  
 184 Nunc latus adversum necopino percusis ictu.  
 188 Heret in hec populus spectacula totaque lusus  
 Turba repente suos iam sudabunda relinquit.  
 209 Sed prius emenso Titan versetur olimpo  
 210 Quam mea tot laudes decurrere carmina possint.  
 Felix et longa iuvenis dignissime vita  
 Eximiumque tue gentis decus, accipe nostri  
 Certus et hec veri complectere pignus amoris.

*Excusatio auctoris quod minus sufficiat ad exprimendas  
 omnes eius laudes*

- 214 ¶ Quod si digna tua minus est mea pagina laude,  
 215 At voluisse sat est; animum, non carmina iacto.

- 169 Ne n Nec n<sup>1</sup> minio quo in titulis usus (non man. recens, ut Baehrens dicit).  
 170 i.m. (secur)u(s) p<sup>r</sup>.—rasura unius litterae post exultent p.—ocia p a.  
 176. Nerius n i.m. e add. n<sup>2</sup>.—extulit (non exculit, ut Baehrens) p i.m. extudit p<sup>r</sup>.  
 178 (tit.) et om. e.—extiterit p.  
 178 i.m. Arma tuis p<sup>r</sup>.—(lacert)i(s) i.m. p<sup>r</sup>.  
 179 limbunt p libuit p<sup>r</sup>.—menbris p.  
 180 i.m. c(aptare) p<sup>r</sup>.  
 182 E bliquis n (nullo spatio relicto) Etobliquis n<sup>1</sup> (minio quo in titulis usus) i.m.  
 d(eficit) n<sup>2</sup> spatium octo litterarum reliquit e, unius litterae p a i.m. Flectis p<sup>r</sup>  
 Ducis a<sup>2</sup>.  
 183 vivati e.—scriptaris p.—destra e corr. e<sup>17</sup>.  
 184 nec opinio n.  
 188 i.m. ludos p<sup>r</sup>.  
 189 sonos e suos e<sup>1</sup>.—relinquit p a.  
 210 deēere e.—posst (=possunt) n.  
 212 Proximumque n i.m. d(eficit) n<sup>2</sup>.  
 213 i.m. (h)o(c) p<sup>r</sup>.  
 214 (tit.) Excusacio auctoris n.  
 214 tua digna p lineolis corr. p<sup>2</sup> litteris b a add. p<sup>r</sup>.  
 215 ¶ b.—At om. b.—carmine n i.m. a n<sup>2</sup>.



- Tu modo letus ades; forsan maiora canemus  
 Et vires dabit ipse favor, dabit ipsa feracem  
 Spes animum. dignare tuos aperire Penates;  
 Hoc solum petimus. nec enim me divitis auri  
 220 Imperiosa fames et habendi seva libido  
 Impulerint sed laudis amor. iuvat, optime, tecum  
 Degere cumque tuis virtutibus omne per evum  
 Carminibus certare meis; sublimior ibo  
 Si fame mihi pandis iter, si detrahis umbram.  
 225 Abdita quid prodest generosi vena metalli  
 Si cultore caret? quid inertī condita portu,  
 Si ductoris eget, ratis efficit, omnia quamvis  
 Armamenta gerat teretique fluentia malo  
 Possit et excusso demittere vela rudenti?  
 230 Ipse per Ausonias Eneia carmina gentes  
 Qui sonat, ingenti qui nomine pulsat Olimpum  
 Meoniumque senem Romano provocat ore,  
 Forsitan illius nemoris latuisset in umbra  
 Quod canit et sterili tantum cantasset avena  
 235 Ignotus populis si Mecenate careret.  
 Qui tamen haut uni patefecit limina vati  
 Nec sua Virgilio permisit nomina soli.  
 Mecenas tragico quatientem pulpita gestu  
 Evexit Varum, Mecenas alta toantis  
 240 Eruit et populis ostendit nomina Graiis

216-24 *om. b.*

218 *ras. duarum litt. post Spes p.*

220 libida *n i.m. o n<sup>2</sup>.*

221 Impulerit *e p a.*

224 *se n i.m. i n<sup>2</sup>.—michi p.—unquam e p umquam a i.m. umbram p<sup>r</sup>.*

225 ¶ *n.*

226-54 *om. b.*

226 inertī (*non inerci, ut Baehrens*) *p.*

227 doctoris *e corr. e<sup>1</sup>?*

229 demittere *n* dimittere *e i.m. (d)i(mittere) p<sup>r</sup>.—i.m. (rudent)e p<sup>r</sup>.*

230 I *p* Ipse *p<sup>2</sup>.*

233 meroris *p i.m. nemoris p<sup>r</sup>.*

234 terili *p a sterili p<sup>2</sup> a<sup>2</sup>.*

236 aut *n.—lumina e a.*

237 promisit *e p a i.m. per(misit) p<sup>r</sup>.*

238 Mechena *p* Mechenas *p<sup>2</sup>.—tragico n corr. n<sup>1</sup> utragico p a corr. p<sup>2</sup> a<sup>2</sup>.—i.m. in impresso per Colinaeum leg. caestu p<sup>r</sup>.*

239 Enexit *p a corr. a<sup>1</sup>?*—*i.m.* Varium vide Horat. pag. 41 III Eclog. ex Colinaei impress. De Varo Virgil. Eclog. 6 et 9 *p<sup>r</sup>.—alta (non alte, ut Baehrens) n.—thoantis e.*

240 ppl's (=populus) *n.—vomina a.*

Carmina Romanis etiam resonantia cordis  
 Ausoniamque chelim gracilis patefecit Horatii.  
 O decus et toto merito venerabilis evo  
 Pierii tutela chori, quo preside tuti  
 245 Non unquam vates inopi timuere senecte.

*Quantum anhelet Pisonis attollere laudes hic iterum aperit*

- 246 ¶ Quod si quis nostris precibus locus et mea vota  
 Si mentem subiere tuam, memorabilis olim  
 Tu mihi Mecenas tereti cantabere versu.  
 Possumus eterne nomen committere fame  
 250 Si tamen hoc ulli de se promittere fas est  
 Et deus ultor abest. superest animosa voluntas  
 Ipsaque nescio quid mens excellentius audet.  
 Tu nanti protende manum, tu, Piso, latentem  
 Exere. nos humilis domus et sincera parentum  
 255 Sed tenuis fortuna sua caligine celat.  
 Possumus impositis caput exonerare tenebris  
 Et lucem spectare novam si quid modo letus  
 Annis et nostris subscribis, candide, votis.  
 Est mihi crede meis animus constantior annis,  
 Quamvis nunc iuvenile decus mihi pingere malas  
 261 Ceperit et nondum vicesima venerit etas.  
 77 ¶ Sed nec olorinos audet Pandionis ales  
 Parva referre sonos nec, si velit improba possit;  
 Et Pandionia superantur voce cicade,  
 Stridula cum rapido fatiunt convitia soli.

- 242 *i.m.* chelys Hor. *p*.  
 244 Pyerii *e*.—thori *n* chori *n*?.  
 245 umquam *a*.  
 246 (*tit.*) anhelet *n*<sup>2</sup> hanelet *e a*.  
 246 Quo *e a*.—nostre *n*.  
 248 terethi *n*.  
 251 decus *a*.  
 252 quod *p* quid *p*<sup>2</sup>.—excelsentius *n corr.* *n*<sup>2</sup>.—audet (*non audes, ut Baehrens*) *n*.  
 253 nauti *e* nati *p i.m.* nanti *p*?.  
 255 ¶ Se *b*.  
 256–61 *om. b*.  
 256 capud *e p*.—exhonerare *e p a*.  
 259 michi *p*.  
 260 massas *p i.m.* malas *p*<sup>r</sup> masas *a* malas *a*?.  
 77–80 *om. b*.  
 77 pandionis ales *e* pandionēs ales *e*<sup>2</sup> pandiolus *a* pandionis *a*<sup>1</sup>.—alex *a* ales *a*<sup>1</sup>.  
 78 improbe *n*.  
 79 pandona *n corr.* *n*<sup>2</sup> *i.m.* Sic et Aedonia *p*?.  
 80 faciunt convicia *p a*.

It was shown in the previous article that *p* and *a* had a common ancestor, that this ancestor and *e* were descended from the same original, and that the common ancestor of *e p a* was a sister or cousin of *n*. Thus the testimony of *n* is worth as much as that of the other three manuscripts together. A number of instances were quoted from the *Laus Pisonis* in substantiation of this view. Others may be found in the apparatus. Three apparent exceptions in addition to those previously given are the following:

94 *hinc n a hinc (huic?) p huic e*

95 *hinc a hic n huic e p*

96 *torno n a torvo e p*

The first two examples are hardly significant in view of the difficulty of deciding whether *p* has *hinc* or *huic* in the first passage. In the second passage I have given the reading of *p* as *huic*, but the difficulty of distinguishing *u* and *n* in this manuscript makes this doubtful. The same situation holds in the third example.

In 158, *n* alone has the right reading *decebut*; *S e p a* have *docebut*. This is probably an example of independent error on the part of *S* and the archetype of *e p a*, though it might be argued that *n* (or its parent) corrected *docebut* to *decebut*.<sup>1</sup>

In 166, *S n* correctly have *verbere*; *e p a* have *vulnere*. But *e* started to write *verbere* (he got as far as *ub* or *ub'*). This shows that in the archetype of *e p a* *vulnere* was introduced as a variant.

In 215, *S* has *carmine* as a variant. This is the reading of *n* in the text, corrected to *carmina* in the margin. This apparently means that the common archetype of *S* and the *florilegia* had the wrong *carmine*, which was then corrected in the archetype of *e p a* and independently by Sichard in his edition.

I have suggested that *b* is descended from *e*. In 125 *e* and *b* wrongly have *rogat* and *rogatur*, where the others have *regat* and *regatur*. In 123, *e* corrects *Qui* to *Quem* (the reading of *n p a*) in such a way that it could easily be taken for *Quam* (the reading of *b*). On the other hand, in 131, *b* has the right reading *numeraris* with *n p a* against *numerabis* in *e*. This might of course be one of the numerous corrections and changes introduced into the *b* tradition.

<sup>1</sup> Through an error I reported (*op. cit.*, p. 152) that in 169 the *florilegia* have *Ne*. This is found only in *n*, in which it is corrected to *Nec* by the first hand. *Nec* is the reading of *e p a*. The conclusion based on the wrong report is of course unsound.

The rediscovery of *a* naturally settles some questions about Junius' edition. For example, Wölfflin<sup>1</sup> suggests that certain readings are Junius' own emendations. Some of these are now found in *a* (and in some of the other *florilegia*): 47 *iubes* (as corrected in *a*), 113 *clientum*, 126 *munerat* (*a*<sup>2</sup>), 221 *Impulerit*, 237 *nomina*. Of these *munerat* is given by an early hand only in *a*.<sup>3</sup>

Scaliger, as has been shown,<sup>3</sup> had a *florilegium* similar to *n e p a* but not identical with any of them. In his *Publii Virgilii Maronis Appendix* (1572) Scaliger says of the *Laus Pisonis*:

Hanc Lucani Eclogam esse, fidem fecerit et scheda calamo exarata, in qua ita scriptum inveni: Lucani Catalecton De Laude Pisonis.

If his report is entirely accurate, his manuscript incorporated the running head with the title in a manner not found in any of our manuscripts. The closest resemblance is to *e* and *b*.<sup>4</sup> Scaliger says further:

Videtur autem initium huic poematio deesse. Nam ita in manu scripto incipit.

Nihil est, quod texas ordine, longum.

The reading *texas* for *texitur* was probably not found in Scaliger's manuscript.<sup>5</sup> The rest of the line agrees with the *florilegia*. Scaliger's further remark is rather naïve: Not recognizing that the line is quoted at the beginning of the *Laus Pisonis* through a confusion, he suggests that it must have been a proverbial expression, as it is also found in the *Ciris*.<sup>6</sup>

A *terminus post quem* for the late hand which entered numerous readings in the margin of *p* is furnished by the reading in 238, which

<sup>1</sup> *Philologus*, XVII (1861), 343.

<sup>2</sup> See Martin, *op. cit.*, p. 10. Miss Martin here points out that certain readings in the Lyons edition of 1550 (Ovid) may have been derived from a *florilegium* before Junius published his edition. This is true, but there is not sufficient material to identify the particular manuscript used.

<sup>3</sup> In the Tibullus article, pp. 159 ff.

<sup>4</sup> Of course the suggestion of Wölfflin (*op. cit.*, p. 342) and earlier scholars that Scaliger had a copy of the *Atrebatensis* is untenable.

<sup>5</sup> Ellis in his edition of the *Appendix* attributes it to Naeke, who in turn states that it is found at least as early as the Aldine Virgil.

<sup>6</sup> Weber reports that Scaliger quotes vs. 142 with the reading *arcu* in a note on Manilius, p. 418 (he evidently refers to the edition of 1655; on Manilius v. 599). This is the reading of *n e p a*.



refers to an edition printed by Colinaeus at Paris. Three editions (of Ovid) were issued by this printer in 1529, 1541, 1545. Unfortunately they seem to be very rare, for Weber could find no trace of them anywhere. Without a report of their readings it is possible to say only that the hand in *p* must be later than 1529. According to Weber, Brunet reports that the three Lyons editions (1540, 1550, 1555) were based on the Paris edition of 1529. If this is true, we may assume that some of the late readings in the margin of *p* which agree with one of the Lyons editions go back to the Paris edition of 1529 (or one of the later Paris reprints). Among them are: 52 *torquet in auras*, 113 *Diligis*, 182 *Flectis*, 213 *hoc*, 79 *Sic et Aedonia*. There are some indications that the late hand in *p* had access to Junius' edition of 1556. The readings *quoque* (44) and *munerat* (126) probably appeared in print for the first time in the 1556 edition. Junius found them in *a*. A late hand added *quoque* to *n* also. This hand therefore is to be dated after 1556.

The late hand in *p* mentions also an edition of Horace published by Colinaeus (see on 239). His editions are dated 1528, 1531, 1533, etc. A comparison of these (none of which is accessible to me) with the note on 239 might furnish a later *terminus post quem*.

In 120 the late hand in *p* added the word *mens*. Baehrens says that from there it found its way into the editions. It is more likely that the annotator of *p* got it from a printed edition, since he explicitly tells us that he got *caestu* (238) from one. The earliest occurrence of *mens* in the editions whose readings have been reported is in the one printed in Basel in 1534. Again we do not know about the Paris editions.

As to the further history of the panegyric, little remains to be said. Vincent of Beauvais does not quote from it, apparently. We have already seen<sup>1</sup> that Guglielmo da Pastrengo, living at Verona in the fourteenth century, must have obtained his knowledge of the panegyric from a *florilegium*. Only one other possible reference to the panegyric (and that only by inference) is known to me. Sabbadini<sup>2</sup> calls attention to a *Liber Lucani maioris* listed in a Pavia inventory of the fifteenth century.<sup>3</sup> This, he thinks, indicates

<sup>1</sup> In the Tibullus article, p. 172.

<sup>2</sup> *Riv. di fil. cl.*, XXXIX (1911), 242.

<sup>3</sup> G. d'Adda, *Indagini ... sulla Libreria Visconteo-Sforzesca ... di Pavia* (1875), No. 932.



that a minor work attributed to Lucan was known, and this could only be the *Laus Pisonis*. In the same way the *Metamorphoses* of Ovid are often referred to as *Ovidius maior*. A further suggestion may be made. Many of the books in the Pavia library came from Verona, where there was a *florilegium* containing the panegyric. Possibly, therefore, the expression "Lucanus maior" originated in Verona as a result of acquaintance with the *florilegium* containing the *Laus Pisonis* and was entered in a copy of the *Pharsalia*.

I shall now discuss the text of several passages in the light of facts now available from the *florilegia*.

44 dura Piso nam S tu Piso *n e p a* tu quoque Piso *a*<sup>2</sup>

The last two editors have gone astray on this passage, it seems to me. The reading of *a*<sup>2</sup> was adopted by Junius and after him by other editors. This is the reading which Miss Martin accepts for her text, though she admits its difficulty. While *quoque* was introduced into *a* by a relatively early hand, it clearly is a pure guess (and a poor one at that) to make the line metrical. Baehrens furnishes an emendation of his own which has no merit. The best suggestion thus far made is that of Unger, *tu rapis omnem*, though an emendation preserving the name Piso, found in both S and the *florilegia*, would seem preferable.

45-46 ducis Victor; *n e p a* tentas; Victus S

Baehrens follows S; Miss Martin, the *florilegia*. The latter seem to furnish better guidance. To be sure, S should generally be given preference, especially when there is such a radical difference of reading as that between the two verbs, for in the *florilegia* there are often violent changes. But *ducis* goes better with *rapis* and *possessa* and keeps up the military comparison in a better way.<sup>1</sup> *Victor* is preferable to *Victus* because it at once explains *ducis* and because it is more complimentary to Piso.

47 libet S iubet *n a* iubes *e p a*<sup>1</sup>

Baehrens and Miss Martin adopt *iubes*. But the agreement of S and *n a* clearly point to *libet* as the reading of the common archetype.<sup>2</sup>

<sup>1</sup> Cf. Lucan *Phars.* ix. 278: *ducite Pompeios* ("lead captive," Haskins), and for *possessa ducis* cf. *Phars.* viii. 342: *captos ducere reges*.

<sup>2</sup> Of course the common archetype may have been wrong; cf. (for the same letter) 113 *Diligit S n e p a Diligis* edd.

This would require that *eum* as well as *tibi* be supplied in thought. Such a construction is perhaps unparalleled and too harsh to be tolerated. Yet there is no possibility of ambiguity—the final test in a matter of this sort. A comparison to Lucan is not out of place (v. 371):

Nil magis adsuetas sceleris quam perdere mentes  
Atque perire timet.

Weise interprets *mentes* as the object of *perdere* and the subject of *perire*. Haskins translates Weise's rendering thus:

There is nothing that he [Caesar] dreads more than to lose hearts inured to guilt, and that they should be wasted.

Haskins objects that this is too harsh, and takes *Caesar* as subject of both infinitives, translating *atque perire* as "and so be ruined." But Weise's interpretation is more natural. There are other instances of awkwardness of the same general sort in Lucan.<sup>1</sup>

There are many examples in Latin similar to these from Lucan and the panegyric. In Horace *Serm.* i. 9. 62–63 we read:

"Unde venis et  
Quo tendis?" rogat et respondet.

This means "he asks [and I ask] and he answers [and I answer]," etc. A still better case is *ibid.* ii. 3. 192:

Ergo consulere et mox respondere licebit?

Some editors point out that *licebit* is properly used only with *consulere*, and that with *respondere* there should be *tibi libebit*. Others interpret without change of subject, in which case the line may be interpreted like i. 9. 62–63. By the former interpretation the sentence is somewhat similar to the line of the panegyric under discussion.

51 rapido S n e p a

Baehrens changed to *rabido*, as he often did elsewhere as a result of a favorite and overworked fad of his. This reading is not only unnecessary here but distinctly inferior.

52 arce n e p a om. S

Although *n* does not have *arte*, as reported by Roth, this is still the best reading. In fact, the agreement of all the *florilegia* in the senseless reading *arce* is a better guaranty of the genuineness of *arte*

<sup>1</sup> See Haskins' Introduction, p. cvii (g).

than the reading *arte* itself would have been, for it shows that the maker of the *florilegium* had *arce* before him, that therefore *arte* is not due to his emendation but rather goes back to an earlier stage.

## 120 Illi n Illic S Illa e p a

Palaeographically there is a great deal to be said for *Illic*. The reading *Illa* may be due to familiarity with a form of *a* shaped like *ic*. But, on the whole, *Illi* is to be preferred; *Illic* is to be explained as due to the initial letter of the following word, and *Illa* as due to the last letter of that word.

## 120 domus om. S

The reading usually adopted here is *mens*. Baehrens emended to *licet*. There is no genuine manuscript authority for either. The former was apparently the invention of the first editor to print it (Weber reports that it occurs first in the Basel edition of 1534). From one of these editions a late hand introduced it into the margin of *p*. We are confronted with a choice between a thirteenth-century manuscript reading (*domus*) and the pure guesses of sixteenth- and nineteenth-century scholars. The choice should not be difficult. Baehrens and Miss Martin call *domus* an evident interpolation; I must confess that it is not evident to me (cf. 254). It may have been evident to Baehrens because he had one of his overingenious emendations to suggest.

## 140 non S nec n e p a

Baehrens and Miss Martin choose *nec*, but *non* is preferable not only because, other things being equal, S should be followed but also because it is more apt. The author has just said that there is a lighter side to eloquence as well as a more serious side.<sup>1</sup> He then compares eloquence with military life, showing that the soldier does not fight every moment. It is much more appropriate to begin with *non* rather than *nec*. To be sure, S wrongly has *non* for *nec* in 142, but this is no argument against it in 140. It is even possible to interpret the reading of *n e p a* so as to favor *non*. They all have *nec*, it is true, but earlier in the line *e p a* have *non* for *cum*. This might be explained in this way: The common archetype had *non*, like S. Someone put *nec* in

<sup>1</sup> In 139 *nec enim* is the negative of *etenim*.

the margin, to make complete rhetorical correlation with *nec* in 141 and 142. In the next copying *nec* went into the text and *non* into the margin. The archetype of *e p a* thought that *non* was a variant for *cum* instead of *nec* and put it into the text in place of *cum*.

142 arcu *n e p a* arcus S

It is not necessary to resort to emendation here. Either of the manuscript readings is possible.

151 nimbis *n e p a* nubibus S

Miss Martin is right in preferring *nimbis* to *nivibus*, the conjecture adopted by Baehrens. She points out that this completes the cycle better. This is especially true since the passage is an obvious imitation of Horace *Carm.* iv. 7. 9-12, in which prominence is given to the thought of the completion of the seasonal cycle and in which the last words are *bruma recurrit iners*.

169 Nec S *n e p a*

Reference to the apparatus makes clear that there is no longer any manuscript support for *Ne*, adopted by Baehrens. By his decision here he is forced in 171 also to adopt *Ne* for *Nec*, the reading of S.

In 229 Miss Martin's defense of the reading *et* of all the manuscripts and *demittere* of the *florilegia* is particularly to be commended.

237 Nec sua Vergilio permisit carmina soli:  
Maecenas tragico quotientem pulpita gestu  
Erexit Varium, Maecenas alta tonantis  
Eruit et populis ostendit carmina Graiis,  
Carmina Romanis etiam resonantia chordis,  
Ausoniamque chelyn gracilis patefecit Horati.

To the many interpretations of this vexed passage I venture to add a partially new one. The text is essentially that of the manuscripts except for the substitution of *carmina* for *nomina* in 237 and 240.<sup>1</sup> The chief difficulty in the text of the passage is at these points, according to most of the scholars who have worked on the passage. The reading *carmina* is not new with me: Lachmann suggested it for 237, and

<sup>1</sup> S has *numina* in 237.

Unger for 240. It seems not unlikely that the wrong *nomina* should be corrected to the same word in both places.<sup>1</sup>

I take *tonantis* to be accusative plural and interpret as follows:

Maecenas brought out of obscurity and revealed to the public those who thundered forth in a sublime style Greek songs and Latin songs as well.

If this interpretation is correct, it throws an interesting light on Horace's tenth satire. The contrast of *alta tonantis* and *gracilis* is particularly significant, as is mention of Greek poems.<sup>2</sup>

S and the *florilegia* agree in the reading of lines 254-55, but editors have been unable to interpret them satisfactorily. We have to choose between emending *nos* to *non*, or *et* and *Sed* to *at* and *Et*, respectively. The former seems simpler but makes an awkward sentence. Furthermore, it is inconsistent with the implication in lines 118-20. There the author attacks the attitude of certain patrons; he obviously implies that, like the clients there mentioned, he is poor and of humble station. One should note the repetition of words and ideas in the later passage: *tenuem* = *tenuis*, *humilem* = *humilis*, *casta domus* = *domus at sincera*.

The reading *nos* need not interfere with the identification of Lucan as the author of the panegyric. Both rank and wealth are relative matters. Though Lucan was wealthy at the time of his death, he was not necessarily so in his own eyes at the time the panegyric was written. It is significant that Lucan's father decided to build up his fortune rather than go through the senatorial *cursus honorum*.<sup>3</sup> Compared with the immensely wealthy Piso,<sup>4</sup> Lucan was poor. Similarly with respect to rank: Lucan's father was a provincial *eques*, in no way comparable to the extremely aristocratic Roman noble Piso.<sup>5</sup> The

<sup>1</sup> Merely as a guess I might suggest that *nota* in the margin (perhaps partly in ligature) might have been misunderstood as *nōia* or *nōa* (= *nomina*) and as a substitute for *carmina*. It should be remembered, however, that S has *numina* in 237. This might call for an emendation to *limina* (cf. 236).

<sup>2</sup> It seems to me likely that poems in Greek are meant rather than poems based on Greek models.

<sup>3</sup> Tacitus *Ann.* xvi. 17.

<sup>4</sup> Schol. *Iuv.* v. 109: *post consulatum materna hereditate ditatus magnificentissime vixit*.

<sup>5</sup> *L.P.* 2, 4, 15 ff.; Tacitus *Ann.* xv. 48: *nullas insignesque familias paterna nobilitate complexus*.



author of the panegyric, in seeking the patronage of Piso, would naturally minimize his own financial and social status.

The attribution of the panegyric to Lucan has been attacked because the poem is not mentioned in the relatively long list of Lucan's works which are found in the biography of Lucan by Vacca and in a poem by Statius. But Statius' list is far from complete, and Vacca's list does not contain the book addressed by Lucan to his wife Polla, which is mentioned by Statius. Vacca begins his list with the words *extant eius complures et alii, ut*, which show that the list is not intended to be complete.

Another objection has been raised to accepting the view that Lucan wrote the panegyric: its difference in style from the *Pharsalia*. But recent controversies about other works of literature leave one skeptical about the validity of our methods for determining the significance of such differences. The striking parallelisms of language which have been pointed out are sufficient at least to counterbalance the differences.

Chronology too suggests that Lucan is the author of the panegyric. It has been shown that it was written between 48 and 59 A.D.<sup>1</sup> These limits can, I think, be narrowed. Piso became one of the *fratres Arvales* in 38 and was present at meetings in Rome in 38, 40, in an unknown year between 43 and 48, and in 57 and thereafter.<sup>2</sup> He was banished probably in 40 (he is not mentioned as being in Rome in 41 or 42). After his recall and consulship he went to Dalmatia as *propraetor*, presumably between 48 and 57, when he is not listed among those present in the acts of the Arval brothers. It was during this period (i.e., after his consulship, according to the scholia on Juvenal) that he inherited his wealth. Obviously he was back in Rome when the panegyric was written. We know that he was back in 57; he probably was away part of the time between 48 and 57. Therefore it is

<sup>1</sup> Martin, *op. cit.*, p. 21. H. de La Ville de Mirmont (*Revue des Études anciennes*, XVI [1914], 50) arrives at a date before 55 in this fashion: He assumes that the *Laus Pisonis* was written by Calpurnius, author of the extant *Eclogues*, and that it was composed before the *Eclogues*. He argues that the first *Eclogue* was written in 55 A.D. But his assumption as to authorship is unfounded (see Martin, *op. cit.*, p. 25) and therefore the date established by La Ville de Mirmont is worthless.

<sup>2</sup> See Pauly-Wissowa, *Real-Encyclopädie*, V (1897), 1378.

more likely that the panegyric was written after 57 than before. We have seen it was written in or before 59.

Lucan was born November 3, 39 A.D. The author of the panegyric says that he is not yet twenty years old (261). If the author was Lucan, the panegyric was written between November 3, 58 and November 3, 59. This fits in so well with the date just arrived at (57-59) that one is almost forced to accept Lucan as the author. Let it not be forgotten that the manuscript tradition of the poem also favors this authorship.

The conclusion that Lucan probably was the author of our little poem may surprise the reader. It surprised the writer. Not until the very end did the bits of evidence shape themselves in such a way as to make the picture clear. Even the possibility of any such conclusion seemed to be shut out once and for all when the decision was reached that in verse 254 the proper reading was such as to indicate that the author of the poem was of humble parentage. Certain it is that the generally accepted view that Calpurnius Siculus was the author of our poem has much less to support it than the one here presented.

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OCTAVIAN'S PROPAGANDA AND ANTONY'S  
*DE SUA EBRIETATE*

BY KENNETH SCOTT

THE identification of Marcus Antonius with Dionysus-Osiris was clearly a political move, as Jeanmaire has recently pointed out in an article entitled "La politique religieuse d'Antoine et de Cléopâtre."<sup>1</sup> When Antony was greeted as Dionysus at Ephesus or at Athens, and especially when he assumed the part of Osiris (the Egyptian Dionysus) in Egypt, he was merely following in the footsteps of the Ptolemies and the other Diadochs in turning to his political advantage the immense popularity of the Dionysiac cult, which during the Hellenistic age was spread far and wide in the East and in Italy itself. Connection of the ruler with Dionysus meant identification with the typical god of world-conquest, the god who had swept through the East conquering nations, founding cities, and bearing in his train the blessings of civilization. The association of Antony with this god was no doubt propaganda intended to impress the people of the East with the divinity of the triumvir, who was ambitious of conquests in the Orient.

Indeed, Antony could hardly choose but play the rôle of Dionysus, for that went along with his position as consort of Cleopatra and therefore as king of Egypt. Aside from its value in establishing his divinity, to pose as Dionysus was an indication of royal power; it marked Antony in the East as the successor of the Hellenistic kings. The career of Alexander was, in legend at least, bound up with Dionysus. So likewise it suited the policies or predilections of many of Alexander's successors to act the part of the wine-god by dressing up in his likeness, bearing his attributes, making free with the wine-cup, and in many other ways. Antigonus Monophthalmus,<sup>2</sup> his son Demetrius Poliorcetes,<sup>3</sup> Mithradates Eupator,<sup>4</sup> Antiochus VI,<sup>5</sup> and Antiochus

<sup>1</sup> In the *Rev. arch.*, XIX (1924), 241-61; cf. Nock, "Notes on Ruler-Cult," *JHS*, XLVIII (1928), 33, n. 61.

<sup>2</sup> Herodianus *Ab excessu divi Marci* i. 3. 3.

<sup>3</sup> Scott, "The Deification of Demetrius Poliorcetes," *AJP*, XLIX (1928), 222 ff.

<sup>4</sup> Cicero *Pro Flacco* 60; see further P. Riewald, *De imperatorum Romanorum cum certis dis et comparatione et aequatione* (Halle dissertation, 1912), p. 319.

<sup>5</sup> Riewald, *op. cit.*, p. 318.

XII<sup>1</sup> are among the rulers intimately associated with Dionysus; the Attalids<sup>2</sup> and the Ptolemies<sup>3</sup> traced their descent from the god Dionysus, and in Egypt various Ptolemies were closely connected with the cult of Dionysus or were actually identified with him. In the Orient, therefore, it was natural and advantageous for Antony to appear as a new Dionysus, Dionysus incarnate.

Antony's identification with Dionysus has been treated recently by H. J. Rose, in an interesting article, "The Departure of Dionysus,"<sup>4</sup> in which he calls attention to what he considers evidence of counter-propaganda of Octavian in two passages in Plutarch which run as follows:

1. But their [the reference is to Octavian and Antony] contests in sports distressed Antony because he always had less success than Caesar. Now he had with him a certain soothsayer from Egypt, one of these who cast nativities, who, either to oblige Cleopatra or speaking the truth, addressed Antony frankly, saying that his fortune, although very brilliant and great, was obscured by that of Caesar; and he counselled him to remove himself as far as possible from that youth. "For," he said, "your *daimon* fears his; and although it is spirited and exalted when it is by itself, it becomes poorer and less noble when his is near." Moreover the events which took place seemed to bear witness for the Egyptian, for it is said that when in sport they cast lots or threw dice to decide whatever matter they happened to have in hand, Antony came off with the worst of it. And often when they were matching cocks and fighting quails those of Caesar used to win.<sup>5</sup>

2. It is said that on that night, about the middle of it, when the city was still and dejected through fearful expectation of the future, suddenly there was heard as it were the harmonious sound of all manner of instruments of music, and the cry of a throng that called on Bakhos and leaped like satyrs, as if a band of worshippers were going forth with much noise. And it sped well nigh through the midst of the city to the gate outside which faced the enemy, and there the noise rose to its height and passed away. Now those who considered the portent were of opinion that the god to whom Antony had always most likened himself and to whom he was most attached, was leaving him.<sup>6</sup>

<sup>1</sup> *Ibid.*, p. 319.

<sup>2</sup> Von Prott, "Dionysos Kathegemon," *Ath. Mitt.*, XXVII (1902), 161-88.

<sup>3</sup> E.g., see F. Blumenthal, "Der ägyptische Kaiserkult," *Archiv. f. Papyrusforschung*, V (1913), 317; W. Schubart, "Ptolemaios Philopator und Dionysos," *Ämtliche Berichte aus den Kgl. Kunstsammlungen*, XXXVIII (1916-17), 189-97; and *SB.* (1927), No. 7266; Kaerst, *Geschichte des Hellenismus*, II (2d ed., 1926), 237, 341.

<sup>4</sup> *Annals of Archaeology and Anthropology*, XI (1924), 25-30.

<sup>5</sup> *Ant.* xxxiii. 2-3.

<sup>6</sup> *Ibid.* lxxv. 3-4. I give the translation of Rose.

The first passage quoted from Plutarch is very likely evidence of Octavian's propaganda against Antony, but the point of the whole story is that the fortune and *daimon* of Antony were inferior to the fortune and *daimon* of Octavian, and the tale cannot be connected with Antony as Dionysus or Osiris.

The story of the departure of Dionysus, however, does not even seem to be propaganda, for I cannot agree with Rose that Octavian had anything to fear from Antony-Dionysus once Antony was dead, Egypt subdued, and the military forces of the Empire united under Octavian's command. Egypt evidently changed its allegiance readily to Octavian, who becomes for the Egyptians Augustus *Σωτήρ* or Zeus *Ἐλευθέριος*, and the East in general must have had little enthusiasm for the dead and discredited Antony-Dionysus who had extorted from the Eastern cities enormous sums. At least there seems to be no evidence of any affection, even of a religious nature, for the departed Antony-Dionysus. Octavian, of course, had enemies, and much of the campaign literature which Antony had spread abroad was probably a source of trouble and vexation to Octavian. Doubtless the two thousand prophetic writings in Greek and Latin which Augustus collected and burned<sup>1</sup> consisted in part of Antony's propaganda, but I believe that the menace of Antony-Dionysus ended with the death of the triumvir.

The account of the departure of Dionysus very likely had its origin among the superstitious Alexandrians, who must have heard or fancied that they had many strange things during the night of uncertainty and alarm which preceded the capture of their city. Variations of this same theme may have been current after the death of other rulers who had been devoted to a special divinity, and we seem to have such a variation in the tale of Domitian's dream, in which he seemed to be deserted by his patron goddess, Minerva.<sup>2</sup> Suetonius writes of Domitian: "He dreamed that Minerva, whom he superstitiously worshipped, departed from her shrine and said that she could no longer defend him because she had been disarmed by Jupiter";<sup>3</sup>

<sup>1</sup> Suet. *Aug.* xxxi. It appears that these writings were dangerous even so many years after Actium.

<sup>2</sup> Evidence of Domitian's special reverence for Minerva is given by J. Janssen, *C. Suetonii Tranquilli Vita Domitiani* (1919), p. 74, and R. Gephart, *C. Suetonii Tranquilli Vita Domitiani* (1922), p. 97, n. 12.

<sup>3</sup> *Domit.* xv. 3.

and Dio gives this slightly different dream: "And it seemed to him that Minerva, whose statue he had in his bedroom, cast away her arms and on a chariot drawn by black horses was falling into a chasm."<sup>1</sup>

Rose points out that "merely to kill a divine king or other theanthropic figure would by no means put an end to his influence," and says that Octavian faced the problem of having "to keep the East quiet and obedient." In the first passage, therefore, Rose would see Octavian's propaganda intended for the West, which Octavian wished to convince that "Osiris-Antony, though a mighty god, was weaker than Apollo-Octavian, or perhaps in general, that the gods of the East could not hope to withstand those of the West." Rose believes, moreover, that the East would not be convinced by such a tale, and that in our second passage we have a story spread by Octavian's bureau of propaganda to the effect that Osiris quitted Antony before the last battle at Alexandria and that it was only the man Antony who died, not a divine king.<sup>2</sup>

It appears, however, that Octavian's propaganda against Antony-Dionysus took an entirely different form from that which Rose suggests. Two passages in Dio which do not seem to have been considered by either Jeanmaire or Rose bear directly on Octavian's "campaign" in the West. In the first Dio relates how the Romans, infuriated by the terms of Antony's will, which Octavian caused to be read in the senate, declared war officially on Cleopatra, though really on Antony. And what appears to have especially excited the Romans was the fact that "he [Antony] was represented with her in paintings and statues, he himself as Osiris and Dionysus, and she as Selene and Isis; and especially on this account he seemed to be rendered mad by her through some enchantment."<sup>3</sup>

Again Dio has Octavian deliver the following address to his troops just before the battle of Actium:

Who would not lament upon hearing and seeing Antony himself; he has twice been consul, often imperator; along with me he has been intrusted with the superintendence of the public affairs, he has had control of so many cities and so many legions, yet he now gives up all his ancestral ways of life and cultivates all those which are foreign and barbaric; he shows no respect for

<sup>1</sup> lxvii. 16.

<sup>2</sup> *Op. cit.*, pp. 29-30.

<sup>3</sup> Dio. I. 5. 3.



our laws and ancestral gods but worships that person [Cleopatra] as if she were some Isis or Selene and calls her children Helios and Selene; finally he even calls himself Osiris and Dionysus and from these [titles], just as if he were lord of all the earth and sea, makes a present of whole islands and some of the continents?<sup>1</sup>

Here we have the tradition of an active propaganda directed by Octavian against Antony, with a special thrust at his identification with Osiris-Dionysus. Octavian in making his appeal to the Romans, to Western civilization, seems to have taken a very definite stand. Dio represents him as openly ridiculing in the most scathing language the conception of Antony as Osiris-Dionysus—the very idea that Antony is anything but a mortal become slave to a woman. The only resemblance between Antony and his favorite god would seem to be that the triumvir had become a reveler and wine-sot. Cicero had already placed Antony before the Roman public in that light, and Antony's identification with the god of wine gave Octavian a chance to follow up the old attacks of Cicero.<sup>2</sup> The Romans, many of them at least, must have been rather hostile to the Dionysiac cult in the first place, if we may infer a continuance of the hostility shown in the terms of the *Senatus Consultum de Bacchanalibus* of 187 B.C. The idea of a new Dionysus must have brought to the minds of the Romans their enemy Mithradates Eupator and the weak drunkard Ptolemy Auletes.

Horace in his ode on the downfall of Cleopatra, written probably in the autumn of 30 B.C., reflects Octavian's propaganda against the drunkenness and revelry of Antony. In Horace, just as in the declaration of war and triumph, only Cleopatra is mentioned; Antony is never named. So, too, Octavian in his *Res Gestae* never mentions Antony by name. Yet in the declaration of war, in the triumph, in the *Res Gestae* of Octavian, and in Horace alike, Antony was linked with Cleopatra. The attack on the queen was really directed against Antony himself. In the following lines of Horace we must therefore see, as every Roman surely did, the figure of the *ebrius Antonius* behind that of the *ebria regina*:

<sup>1</sup> Dio l. 25. 2-4.

<sup>2</sup> See Cicero's second *Philippic* and Plut. *op. cit.* ix. 3; cf. Seneca *Epist.* lxxxiii. 25.

antehac nefas depromere Caecubum  
cellis avitis, dum Capitolio  
regina dementes ruinas,  
funus et imperio parabat

contaminato cum grege turpium  
morbo virorum, quidlibet impotens  
sperare fortunaque dulci  
*ebria*. sed minuit furorem

vix una sospes navis ab ignibus  
*mentemque lymphatam Mareotico*  
redegit in veros timores  
Caesar, ab Italia volantem  
remis adurgens . . . .<sup>1</sup>

It seems that some such attack as I have suggested was made by Octavian, and that it was of such a serious nature that Antony actually issued a political pamphlet in reply just before the battle of Actium. The pamphlet itself is lost, but in Pliny there is a short account of it which reads as follows:

Is [Antonius] ante eum [Ciceronem M.f.] avidissime adprehenderat hanc palmam [of being able to drink a great deal] edito etiam volumine de sua ebrietate, quo, patrocinari sibi ausus, adprobavit plane, ut equidem arbitror, quanta mala per temulentiam terrarum orbi intulisset; exiguo tempore ante proelium Actiacum id volumen evomit.<sup>2</sup>

There seems to have been some variation in the interpretation of this pamphlet, for in one place Schanz writes, "Es war sicherlich eine Verteidigungsschrift,"<sup>3</sup> an opinion with which I most certainly agree. Elsewhere, however, he writes, "Mehr ein Produkt des Scherzes war die Monographie des Domitian über die Haarpflege, die mit der Broschüre des Maecenas 'de cultu suo' und mit der des Antonius 'de sua ebrietate' verglichen werden kann";<sup>4</sup> and again, "Mehr eine Kuriosität ist des Maecenas Schrift über seine Lebensweise 'de cultu suo'; sie bildet ein Pendant zu Antonius' Schrift über seine Trunksucht 'de sua ebrietate.'"<sup>5</sup>

<sup>1</sup> Horace *Carmina* i. 37. 5 ff. Professor B. L. Ullman kindly called my attention to the significance of this ode for the subject of this paper.

<sup>2</sup> *NH* xiv. 22.

<sup>4</sup> *Ibid.*, II, Part II, 24.

<sup>3</sup> *Gesch. d. röm. Lit.* (3d ed.), I, Part II, 197.

<sup>5</sup> *Ibid.*, Part I, p. 551.

The sixth edition of Teuffel's *Geschichte der römischen Literatur* (1915), edited by Kroll and Skutsch, suggests that the *de sua ebrietate* was perhaps a philosophical writing *περὶ μέθης* and that the word *sua* is a malicious misrepresentation,<sup>1</sup> while Hosius in the fourth edition of Schanz's *Römische Literaturgeschichte* (1927) classes Antony's pamphlet with Cratinus' *Πυρίνη*.<sup>2</sup> Only Gardthausen long ago seems to have understood the writing correctly as a reply to accusations against Antony, a reply intended for readers at Rome.<sup>3</sup>

It does not appear reasonable to consider Antony's pamphlet an amusing composition, for a short time before the battle of Actium (*exiguo tempore ante proelium Actiacum*), one may well believe, was a trying moment for Antony and one in which he could hardly take the time to write a humorous sketch of that weakness of his which Cicero had painted so darkly and with which we may reasonably suppose that Octavian had taxed him, since Antony wrote "daring to defend himself" (*patrocinari sibi ausus*). Indeed, it was a *Verteidigungsschrift*, in which Antony evidently explained or tried to explain to the Romans charges of drunkenness which must have been brought against him, and it seems likely that the pamphlet was at the same time a reply to the accusations of Octavian recorded by Dio. Antony's identification with Osiris-Dionysus in the East and his conduct there were all very well as far as Orientals or Greeks were concerned, but he thereby had evidently laid himself open to severe criticism in Italy, where Octavian and his followers presented his actions in the worst possible light.

If we may trust the evidence of Dio and the interpretation of Antony's *de sua ebrietate* which I have suggested, then a problem in the religious history of the Roman Empire has a ready solution. Riewald has written in his Halle dissertation, "Cum tot hellenisticorum temporum reges nomine novi Bacchi ornati sint, mirum est, quod imperatoris ei aequati ne unum quidem exstat exemplum."<sup>4</sup> But if Octavian held up to ridicule the identification of Antony with Osiris-Dionysus and made it one of his main points of attack in the propaganda which he carried on before Actium, one may readily perceive

<sup>1</sup> I, 500.

<sup>2</sup> Part I, pp. 388-89.

<sup>3</sup> *Augustus und seine Zeit*, Vol. I, Part I (1891), p. 343.

<sup>4</sup> *Op. cit.*, p. 320.

that Octavian could never cause or permit himself to be designated as a new Dionysus, the god whose cult he had tried to discredit in the West and East.

Suetonius has preserved an obvious case of propaganda set on foot by Antony, and it is interesting to note that Antony accused Octavian of playing the false rôle of Apollo, just as Octavian taxed him with assuming the part of Dionysus. The passage of Suetonius runs as follows:

Cena quoque eius secretior in fabulis fuit, quae vulgo δωδεκάθεος vocabatur; in qua deorum dearumque habitu discubuisse convivas et ipsum pro Apolline ornatum, non Antoni modo epistulae singulorum nomina amarissime enumerantis exprobant, sed et sine auctore notissimi versus;

"Cum primum istorum conduxit mensa choragum,  
Sexque deos vidit Mallia sexque deas,  
Impia dum Phoebi Caesar mendacia ludit,  
Dum nova divorum cenat adulteria:  
Omnia se a terris tunc numina declinarunt,  
Fugit et auratos Iuppiter ipse thronos."

Auxit cenae rumorem summa tunc in civitate penuria ac fames, adclamatumque est postridie: Omne frumentum deos comedisse et Caesarem esse plane Apollinem, sed tortorem, quo cognomine is deus quadam in parte urbis colebatur.<sup>1</sup>

The charge made by Antony that Octavian and his friends held a banquet in the guise of gods and goddesses would seem to be a countercharge to Octavian's attack on Antony-Dionysus. The form of the banquet is exactly that of a *lectisternium*, six gods and six goddesses,<sup>2</sup> and would therefore be exceptionally shocking to conservative Romans.<sup>3</sup> The true gods in dismay or anger depart from earth, while Jupiter (Capitolinus?) leaves his golden throne (on the Capitoline?). It is interesting to note that Octavian actually did transfer the

<sup>1</sup> Aug. lxx. In chaps. lxxviii and lxxix are other accusations made by Antony against Octavian.

<sup>2</sup> See Wissowa's article. "Lectisternium" in *PW*, XXIII (1924), 1108-15, and esp. p. 1112. In the famous *lectisternium* after the defeat of Lake Trasimene the twelve gods are Jupiter and Juno, Neptune and Minerva, Mars and Venus, Apollo and Diana, Vulcan and Vesta, Mercury and Ceres. In our δωδεκάθεος it is not likely that Jupiter was represented since Octavian appeared as Apollo.

<sup>3</sup> Professor Rostovtzeff, whose criticism has been most valuable, has called my attention to this point.

religious center of Rome from the Capitoline and Jupiter to the Palatine and Apollo.

This last sentence of Suetonius in which he says that in a spirit of bitterness Octavian was named "Apollo Tortor" finds its parallel in the story of Antony's entry into Ephesus, "whose inhabitants greeted him as Dionysus Χαριδότης, 'Giver of Joy,' and Μελίχιος, 'Gracious.'" "And such," continues Plutarch, "he was to some, but to the many he was Dionysus Ὠμηστής, 'the Savage,' and Ἀγριώνιος, 'the Fierce.'" It is evident that both parties indulged in a bitter campaign of charge and countercharge. A banquet held by Antony which was similar to the δωδεκάθεος of Octavian may be hinted at by Velleius Paterculus.<sup>2</sup>

We have, therefore, some idea of the rumors which were set afloat by the two hostile parties in the period which preceded Actium, and we must not underestimate the part played by propaganda in the struggle between Antony and Octavian. Rose would see in the passages which he cites from Plutarch evidence of Octavian's method of dealing with Antony's Dionysiac propaganda. The story of the *daimones* of the two leaders does not deal with the conception of Antony as Dionysus, and I believe that the tale of the departure of Dionysus originated with the Alexandrians and not with Octavian or his agents. Our sources, moreover, point to Octavian's emphatic denial in the West of the existence of any divinity in the person of Antony or of any identification of Antony with Dionysus. The *de sua ebrietate* was probably Antony's reply to Octavian's attack on his ways of life and on his identification with Dionysus-Osiris in the East.

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<sup>1</sup> *Op. cit.* xxiv. 3-4.

<sup>2</sup> *ii.* 82-83.

## THE NATURE OF TABOO AND ITS SURVIVAL IN ROMAN LIFE

BY ELI EDWARD BURRISS

AS SOON as primitive man becomes self-conscious he feels that anything different from himself is potentially dangerous: it contains a mysterious power to do him harm and he must compel it to do him good if this be possible. If he finds by experience that it cannot do him good but harm only, he must avoid it; and when this is impossible he must find some means to rid himself of the evil effects of contagion. Now he soon realizes that some things which are potentially dangerous, rain, for example, which brings floods and destruction in its wake, at times are beneficent; for rain may also cause his crops to grow and bring cooling showers after the heat of the day. However, other persons, things, or actions are found always to be harmful: disease, for example.

To this mysterious force, whether harmful or helpful, or potentially so, the name *mana* is given.<sup>1</sup> *Mana* which has always been found to be harmful is called *taboo* and to this we choose to give the name *negative mana*.<sup>2</sup> *Mana* which has always been found to be good is usually called simply *mana*; but to this it seems better to give the name *positive mana*. Now there is no essential difference between a person, thing, or action possessing *positive mana* which one compels by a magic act and a charm (or prayer) to do one's will, and the person, thing, or action which is as we say *taboo*, or to use our new term, possesses *negative mana*: in both cases there is, prior to experience with the person, action, or thing, potential danger or potential benefit inherent. In the case of *negative mana* the results of experience have shown that the danger is not only potential but actual; and in the case of *positive mana* experience has shown that the potential good can be forced into actual good by a magic act according to the principles of similarity or con-

<sup>1</sup> See R. R. Marett, *On the Threshold of Religion*, p. 137.

<sup>2</sup> Marett, in a private letter addressed to W. Warde Fowler (quoted in the latter's *The Religious Experience of the Roman People*, p. 42, note 4) writes as follows: "In *taboo* the mystic thing is not to be lightly approached (negative aspect); *qua mana*, it is instinct with mystic power (positive aspect)."

tact. With *negative mana* or *taboo* the potential danger has been realized by experience to be actual; and so avoidance is necessary, or, if this is impossible, rites of purification must be performed to rid one's self of the evil of contagion.

Concrete examples will make the distinction clearer. A stranger possesses for the savage mind the peculiar property to which we have given the general name *mana*: he comes from the unexplored forest and may be harmful or helpful. When the stranger has attacked the savage, the latter realizes that the stranger possesses a power to harm (*negative mana*). When a second stranger comes from the woodland, the savage associates with him the harm done by the first stranger, and hence he has an uncanny feeling on seeing not only the stranger but anything which has been in contact with him or, indeed, anything which has come from the same place as the stranger. If he cannot avoid the stranger and comes in contact with him or with anything belonging to him, he must protect himself from the evil effects of contagion by a rite of purification. Hence generals, soldiers, and their equipment on returning from a foreign country must be purified before they enter the city.

Again, with the development of a knowledge of agriculture, rain is found to be necessary for the growth of the crops, and so a magic process imitating the overflowing of the heavens is performed to induce rain. This is rain in its positive or helpful aspect (*positive mana*). But rain sometimes has the power to harm (*negative mana*) and so the savage uses a magic act and charm to avert the rains which are flooding his fields.

*Negative mana* has been considered a form of negative magic.<sup>1</sup> Just as in homoeopathic or in contagious magic man performs certain actions (in accordance with the laws of similarity or contact) that certain results may ensue, so, in accordance with the same principles he will refrain from certain acts, or things, or persons, for fear that evil may result. It would be better, as we have suggested, to consider taboo as *negative mana*; for certainly all cases of taboo cannot be classified as negative magic as we shall see in the course of our treatment of the survivals of *negative mana* in Roman life.

Whatever the origin of taboo, the feeling in the mind of the person

<sup>1</sup> See Sir J. G. Frazer, *The Magic Art*, I, 111.



affected is that certain objects, actions, or persons, for some reason unknown to him, are possessed of a mysterious power which makes them dangerous. They should, therefore, be avoided.<sup>1</sup> If for any reason contact is unavoidable, purificatory rites must be observed to wipe out the contagion. There is scarcely a person, for example, unless he be a physician or an employee in an abattoir, who does not shrink from blood. Again, foreigners cause feelings of fear, as does a strange food, a new system of medicine, or a novel religious cult; but when one has eaten the strange food and found it palatable, when one has adopted the new system of medicine or the religious cult, the fears vanish.

The dread of danger inherent in strange things arises from several causes: it may be instinctive, or it may grow out of ignorance on the part of the savage of the things which surround him in his struggle for existence. This ignorance may be due to the fact that his brain is not developed enough physiologically for him to make proper associations and come to right conclusions. Coupled with this is an unusually active imagination. From these ultimate causes spring certain specific causes of taboo: the thing may be strange, or new, or abnormal and hence dangerous; or one may have had unpleasant associations with something which resembles the thing feared; the taboo may have been deliberately made by the priest or chieftain for selfish or for social reasons; or the taboo may have arisen from trial and error until the *mana* has been found to be positive or negative.

Naturally, it will be impossible within the scope of this paper to discuss all the taboos which existed in Roman life. I have selected for detailed treatment such as are most common and those which, to my seeming, have been inadequately explained.

#### BLOOD

The annalist Quintus Claudius Quadrigarius recounts<sup>2</sup> a gruesome story how Titus Manlius Torquatus came by his *agnomen* Torquatus. It appears that Titus, having killed a Gaul in a hand-to-hand combat, cut off the Gaul's head, "wrenched off his necklace and placed it,

<sup>1</sup> See Frazer, *op. cit.*, I, 111, note 2; cf. also Fowler, *op. cit.*, pp. 27-28; H. J. Rose, *Primitive Culture in Italy*, p. 9; Carveth Read, *Man and His Superstitions*, pp. 61-62.

<sup>2</sup> Quoted by Gellius *Noctes Atticae* ix. 13. 7-19.

reeking with blood, about his own neck." This, on a hasty view, would seem to be the bloodthirsty act of a soldier crazed with victory. But it is more than this. If we study the matter a little more closely, we shall find that it was prompted by one of the commonest feelings of savages: that blood possesses peculiar mystic properties. In this case the feeling, vague and undefined though it be to the mind of the Roman, was that by wearing the Gaul's necklace about his own neck and coming in contact with his blood he might possess, in addition to his own strength, the strength of the Gaul. This idea will become clearer, I believe, if we study somewhat in detail the attitude of the Romans toward blood as recorded in their writers. But first let us see what two modern scholars have to say on the subject. W. Warde Fowler writes<sup>1</sup> thus about the taboo on blood among the Romans: ". . . at Rome, so far as I can discover, there was in historical times hardly a trace left of this anxiety in its original form of taboo." Again, H. J. Rose, in his recent work, says<sup>2</sup> ". . . as the late W. Warde Fowler has repeatedly pointed out, the Romans had very little, if any, superstitious horror of blood."

That the Romans had little "superstitious horror of blood" seems a natural inference to make when we consider the fact that the Roman citizen was primarily a soldier hardened to the shedding of blood on the battlefields, that the blood of sacrifice at the altars and at the gladiatorial combats was an everyday sight. Despite this, a considerable body of evidence can be adduced to show that the Romans did have an uncanny feeling about contact with it. Seneca, for example, writes:<sup>3</sup> "Some say that they themselves suspect that there is actually in blood a certain force, potent to avert and repel a rain cloud." The blood of a goat, it was believed, could break adamant.

The dangerous character of blood is further suggested by the common accounts of rains of blood.<sup>4</sup> Among the prodigies recorded<sup>5</sup> during the Hannibalic War we read that at Praeneste some shields sweated blood, that the waters at Caere were mixed with blood, that both water and blood gushed from the springs of Hercules, and that bloody

<sup>1</sup> *Op. cit.*, p. 33.

<sup>2</sup> *Op. cit.*, pp. 193-94.

<sup>3</sup> *Nat. Quaest.* iv. 7.

<sup>4</sup> See Pease's note on Cicero *De Divinatione* i. 98; cf. also Livy xxiv. 10; Plutarch *Rom.* xxiv; Vergil *Georg.* i. 485; Apuleius *Metamor.* ix. 34.

<sup>5</sup> Livy xxii. 1.

ears of wheat were garnered at Antium. Again, later in the same war reports reached Rome that statues sweated blood and that again the waters of Caere were mixed with blood.<sup>1</sup> Livy writes<sup>2</sup> that Tullia, the daughter of Servius Tullius, drove her carriage over the dead body of her father and that she was, in consequence, spattered with blood. Because of this bloodstain the prophesy was made that the same fate was in store for the last of the Tarquins. Once, while Flaminius was sacrificing, a calf broke away spattering several spectators with its blood. Livy writes<sup>3</sup> that this was considered terrible and ominous by the people present. In 460 B.C., during the quarrels between the plebs and the Senate, 2,500 slaves and exiles seized the Capitol and the Citadel. After they had been driven out, the temple was purified (*purgare, lustrare*) since many of them had polluted it with their blood.<sup>4</sup> Once, while Caligula was sacrificing, he was spattered with the blood of a flamingo.<sup>5</sup> Again, during the performance of a mime *Laureolus*, an actor playing the part of the brigand, vomited blood. At the conclusion of the play a group of actors entertained the audience with such a vigorous imitation of the brigand's vomiting that the stage overflowed with blood. These prodigies, among others, were believed to foretell the death of Caligula.

Servius commenting on Vergil's *Aeneid* v. 79: *purpureosque iacit flores* writes: "In imitation of blood in which is the seat of the soul."<sup>6</sup> We recall the horror of Sallust in recounting the story that Catiline and his followers drank human blood to seal their covenant of loyalty. This mystic association with blood finds curious expression in Tacitus<sup>7</sup> where the soldiers of Germanicus who had recently mutinied believed that by shedding the blood of the ringleaders of the mutiny they might atone for their sins of rebellion. A bloody massacre took place in the camp. When Germanicus appeared on the scenes, the soldiers repented, but, still seeing red, they wanted to cross the Rhine into Germany again to atone with their blood for their murdered comrades. A curious bit of military lore is recorded<sup>8</sup> in Gellius. According to the old military laws when a soldier had committed an offense involving

<sup>1</sup> *Ibid.* xxii. 36.<sup>2</sup> *Ibid.* i. 48. 7.<sup>3</sup> *Ibid.* xxi. 63.<sup>4</sup> *Ibid.* iii. 18. 10.<sup>5</sup> Suetonius *Caligula* lvii. 4.<sup>6</sup> This belief is as old as Empedocles. Cf. Cicero *Tuscul.* i. 19.<sup>7</sup> *Annales* i. 44.<sup>8</sup> *Noct. Att.* x. 8.

*ignominia* a vein was broken open and the "bad" blood was let out. Gellius has suggested that the procedure may have been medicinal at first and later applied to all the soldiers for a variety of offenses. The reason, I believe, goes deeply into the past of the Romans. The blood contained the life principle of the man; as he had shown by his actions that his life-blood was bad, it was drawn off to allow better life to enter his body.

It would seem that the earliest Roman sacrifices were bloodless.<sup>1</sup> Ceres was said to have been the first to receive animal sacrifice.<sup>2</sup> Only bloodless sacrifices might be made to Genius on birthdays though it is probable that animal sacrifices were permitted on other days.<sup>3</sup> The first day of the Quinquatrus had to be free from blood.<sup>4</sup> No animal sacrifice was made to Venus.<sup>5</sup> Originally there was no animal sacrifice on the Parilia; and the reason as given by Plutarch<sup>6</sup> was that the festival might be free from blood stains. Fowler remarks<sup>7</sup> the absence of the mention of blood in sacrifices, but he fails to recognize that this very absence is an indication that blood was taboo.

The blood of foreigners, especially of enemies, was felt to be dangerous. The spear which the fetial threw into the enemy's country was smeared with blood.<sup>8</sup> The blood, being taboo from the point of view of the enemy, was calculated to do the enemy harm. Festus writes<sup>9</sup> that the soldiers who followed the triumphal car wore garlands (or carried branches) of laurel that they might enter the city with the stain of blood removed. The *verbenarius* who accompanied the fetials carried with him the sacred *vervena* which were also used in other rites of disinfection.<sup>10</sup> One of the fetials in the ceremony of treaty-making touched the head of the *pater patratus* with these to keep him free from contamination.<sup>11</sup>

The *flamen dialis* was not allowed to touch or speak of raw meat.<sup>12</sup>

<sup>1</sup> Cf. Ovid *Fasti* i. 349-50; Vergil *Georg.* ii. 536-37; cf. also Plutarch Numa 99.

<sup>2</sup> Ovid *Fasti* i. 349.

<sup>3</sup> Varro, in Censorinus 3; cf. Servius on Vergil *Georg.* i. 302.

<sup>4</sup> Ovid *Fasti* iii. 811.

<sup>5</sup> Cf. Tacitus *Hist.* ii. 3; Fowler, *The Roman Festivals*, pp. 85-88. <sup>6</sup> *Rom.* 37.

<sup>7</sup> *The Religious Experience of the Roman People*, p. 33.

<sup>8</sup> Livy i. 32. 12.

<sup>10</sup> Pliny *Nat. Hist.* xxii. 5. 12-21.

<sup>9</sup> 117.

<sup>11</sup> Livy i. 24. 6.

<sup>12</sup> Gellius x. 15. 12; cf. Frazer, *Taboo*, II, 239.

Frazer suggests<sup>1</sup> a possible explanation of the taboo which forbade the *flamen dialis* from passing under a trellised vine. The juice of the grape was considered blood because it was red and looked like blood; and it was believed to contain the spirit of the vine just as the blood of men was believed to contain their spirit. Moreover, wine intoxicated one and so the soul of the vine could be felt actually at work in the person who drank the wine.

It was dangerous to have the blood of a living person over one's head.<sup>2</sup> Tibullus curses the woman he hates with these words:<sup>3</sup> "May the hag's food be mixed with blood." The skeptical Ovid refuses to believe that mere water can wipe away blood stains.<sup>4</sup> A priest who had a blood stain from a sacrifice was infectious until he had changed his dress.<sup>5</sup> We recall that Aeneas could not touch his household gods until he had cleansed the blood stains from his hands with pure water.<sup>6</sup>

On October 15 occurred a chariot race in the Campus Martius. The near horse of the pair which won the race was killed and his tail cut off and carried to the Regia where the blood was allowed to drip onto the sacred hearth.<sup>7</sup> This blood, together with the blood from the horse's head, was mixed with the ashes of the unborn calves which had been sacrificed on the Fordicidia (April 15) and with sulphur and bean straw. This mixture was dispensed by the Vestals as a fertility charm on the Parilia (April 21).<sup>8</sup> Farmers and flocks at the Parilia leaped through bonfires into which the mixture had been thrown. It is not my purpose to attempt an explanation of these rites; for our purpose it is sufficient to note that blood in the rite had a peculiar magic property—probably the transference of life by sympathetic magic from the prolific cow through the blood of her calves to the people who used the mixture.

Again, at the Lupercalia on February 15, blood from the sacrificial victims was smeared with a knife on the foreheads of two youths called Luperci and then wiped with wool.<sup>9</sup> Much has been written in at-

<sup>1</sup> Frazer, *op. cit.*, II, 259-64.

<sup>2</sup> *Ibid.*, pp. 253-54.

<sup>3</sup> i. 15. 49.

<sup>7</sup> Festus 178; 241-50 (Mueller's edition).

<sup>8</sup> Ovid *Fasti* iv. 731.

<sup>9</sup> Plutarch *Rom. 21*; cf. Fowler, *Roman Festivals*, p. 311.

<sup>4</sup> *Fasti* ii. 45-46.

<sup>5</sup> Tacitus *Annales* ii. 14.

<sup>6</sup> *Aeneid* ii. 717.

tempted explanation of this element in the rite; but here again it will suffice for us merely to point out the fact that the blood was believed to possess some magic property.

Once more, at the Terminalia,<sup>1</sup> in the country districts at least, blood from the sacrificial victim, together with its bones and ashes and various products of the farm, was put into a hole in the ground and the terminal stone was rammed into it.

On March 19 occurred the lustration of the sacred shields of the Salian priests of Mars and probably of the whole army before it went forth to war. There was a procession in which the Salii performed ceremonial dances, beating their shields and brandishing their spears—originally a magic ceremony which was potent to drive away evil spirits. Again, after the war season was over, on October 19—a day called *armilustrum* in the calendars—the shields and doubtless again the whole army was lustrated and the shields were put away for the winter.<sup>2</sup> It has been suggested<sup>3</sup> that the lustration in October was to disinfect both arms and men from the double stain of blood and contact with foreign influences. We meet a similar ceremony in the first book of Livy:<sup>4</sup> at the conclusion of the war against Fidenate in the reign of Tullius, the king performed a *sacrificium lustrale* to rid the army of the taint of blood and contact with the enemy.

Sufficient evidence has been given thus far in this paper, I believe, to show that the Romans, despite their putative indifference to blood because of their daily association with it on the battlefield and at the altars, actually had a superstitious horror of blood. We have seen that blood was used in magic rites: it was believed to possess remarkable powers such as driving away clouds from the sky and breaking adamant; that it was considered the residence of the soul of man, that prodigies involving blood were considered especially ominous, that blood was believed to have a mystic power to wipe out blood-guilt and to seal covenants of crime. We have seen that the earliest sacrifices of the Romans were bloodless and that at first there was probably no animal sacrifice at all among the Romans; that some of the rites of the

<sup>1</sup> *Gromatici Veteres* i. 141.

<sup>2</sup> Festus 19; Charisius i (Keil 81); Varro *De Lingua Latina* v. 153. 662.

<sup>3</sup> Fowler, *The Religious Experience of the Roman People*, pp. 97 and 217.

<sup>4</sup> xxviii. 1.

Romans forbade the presence of blood sacrifice. We have seen that the blood of foreigners was dangerous and that purificatory rites had to be performed to remove contagion. We have seen that the *flamen dialis* was not allowed to mention raw meat; that at least two poets—Ovid and Tibullus—had a superstitious feeling with regard to blood; that in certain rites of the Roman state religion the blood of sacrifice was believed to possess magic properties; and, finally, we shall see shortly that the presence of blood at the birth of the child may possibly account for the dangerous character of that period.

The question is quite naturally asked: how did the taboo on blood arise? It has been believed that the fear of blood is instinctive, though this interpretation has been questioned. I believe that the taboo arose in some such way as this: when a savage shed his blood, suffered, and died as a result of the wound, either accidental or from the blow of an enemy, his fellows naturally associated the blood with the idea of pain and death and hence thereafter avoided blood, on the principle of similarity.

#### WOMEN

We know that women under certain conditions are considered dangerous by savage peoples. This may be due to the fact that they are physically weak or merely to the fact that women differ from men and on that account are potentially dangerous; or the taboo may be due to the superstitious horror of blood—particularly the blood of menstruation—common to all peoples.<sup>1</sup>

Among the Romans women were taboo at the country rites of Mars Silvanus. "Let no woman be present at this rite, and let no woman see how it is done," writes Cato.<sup>2</sup> Here the taboo, as I have suggested, may be due to the frailty of women which would tend to weaken the force of the rite. Or at one time women may have been admitted to the rites and the crops failed in consequence; a trial was made of excluding women the next year with the result that the crops were successful; thereafter women were forbidden to attend these rites. Women were not allowed to swear by Hercules and were forbidden to take part in the worship of Hercules at the Ara Maxima.<sup>3</sup>

<sup>1</sup> Cf. Carveth Read, *op. cit.*, pp. 62-63; Frazer, *The Magic Art*, I, 111.

<sup>2</sup> *De Agricultura* 83.

<sup>3</sup> *Saturnalia* i. 12. 28; cf. Propertius iv. 9.



Macrobius, quoting Varro, tells<sup>1</sup> how Hercules, while driving the cattle of Geryon through Italy, came upon women celebrating the rites of Bona Dea and, being thirsty, asked for a drink. Now men were excluded from these rites, and so the women refused his request because it would have been sacrilege for a man's lips to touch their sacred vessels. In consequence of this refusal Hercules ordered women to be excluded from his rites. The tale was of course invented to explain the exclusion of women. Fowler has suggested<sup>2</sup> an explanation of the taboo on the ground that the cult of Hercules had been superimposed on an older cult of the Genius or male principle. From this cult quite naturally women would be excluded. However, the presence of the Salii in the rites of Hercules seems to suggest Mars behind the later Hercules.

Festus mentions<sup>3</sup> the fact that in certain rites, undefined by him, the lictor called out: "Let the stranger, the bound man, women, and girls depart."

A curious case of taboo is recorded in Pliny the Elder.<sup>4</sup> According to the law of the *pagus* in most parts of Italy, women were not permitted to spin or carry their spindles uncovered on the highroad, for the crops would be harmed thereby. The reason for the taboo is not entirely clear, but it is reasonable to ascribe it to *negative mana* on the principle of similarity in the taboo on knots. As the threads became tangled on the spindle, so would the crops become tangled with weeds.

That the Romans early overcame their uneasiness about the presence of women at religious rites is shown by Cato who writes<sup>5</sup> that the overseer's wife on the farm had certain duties to perform such as placing a wreath on the hearth on the Kalends, the Ides, and the Nones, and in the worship of the *Lar Familiaris*.

#### CHILDREN

As in the case of women the dangerousness of children may be due to their physical weakness and to the presence of blood at their birth. The magic import of children, especially boys, is familiar to every reader of Horace and Apuleius. The entrails, urine, and teeth of

<sup>1</sup> *Ibid.*

<sup>2</sup> *Roman Festivals*, p. 143.

<sup>3</sup> 82.

<sup>4</sup> xxviii. 28.

<sup>5</sup> *De Agricultura* 143. 12.

boys were used in magic rites.<sup>1</sup> Boys, too, were used as mediums.<sup>2</sup> We recall that before Tibullus set forth for Phaeacia, Delia drew lots three times to find whether it was safe for him to go, and that it was a boy who interpreted the lots favorably,<sup>3</sup> although usually in taking the lots boys merely drew them.<sup>4</sup> The uncanny nature of childhood is thus fully established; and it is natural that the Romans should seek means to shield the child from evil influences and to protect those who came in contact with children. Thus we know that the child at birth had to be purified and given a name: the boy on the ninth and the girl on the eighth—the *dies lustricus*.<sup>5</sup> Persius satirizes<sup>6</sup> the old woman—an adept at averting the evil eye—who takes the baby from the cradle and applies spittle with the middle finger (*digitus infamis*) to its forehead and lips. The goddess Cunina was believed, in popular superstition at least, to have the power to avert the evil eye.<sup>7</sup> Again, infants were liable to be harassed by *striges*—bloodsucking vampires in the form of owls. The rites of riddance are described by Ovid.<sup>8</sup>

The danger surrounding the mother and her child is well illustrated in the superstition that they were liable to be tormented by evil spirits from the woodland—Silvanus, as the later Romans believed—until a curious ceremony was performed. I quote St. Augustine:<sup>9</sup>

... After the birth of the child, three protecting divinities are summoned lest the god Silvanus enter during the night and harass mother and child; and to give tokens of those guardian divinities three men by night surround the threshold of the house and first strike it with an ax and a pestle; then they sweep it off with a broom that, by giving these signs of worship, the god Silvanus may be kept from entering. For trees are not cut nor pruned without iron; nor is spelt powdered without a pestle; nor is grain piled up without a broom. Now from these three objects are named three divinities: Intercidona from the "*intercisio*" of the ax; Pilumnus from the "*pilum*"; Deverra from the "*sweeping*" (*verrere*) of the broom; and by the protection of these divinities new-born babies are preserved against the violence of Silvanus.

<sup>1</sup> Cf. Eugene Tavenner, *Studies in Magic*, pp. 53, 89, 109, with the references there given.

<sup>2</sup> Tavenner, *op. cit.*, pp. 52, 91, 109, 120.

<sup>3</sup> i. 3. 11-12.

<sup>5</sup> Festus 120; Macrobius *Satur.* i. 16. 36.

<sup>4</sup> Cf. Cicero *De Div.* ii. 86.

<sup>6</sup> ii.

<sup>7</sup> Tertullian *Ad Nat.* ii. 11; Lactantius *Inst. Div.* i. 20. 36.

<sup>8</sup> *Fasti* vi. 155-62.

<sup>9</sup> *De Civit. Dei* vi. 9.

Caesar records<sup>1</sup> a curious fact with regard to Gallic boys which points to a possible explanation of the taboo on children. He writes: "Gallic fathers do not allow their sons to come into their presence until they have grown up and can endure military service; and they consider it disgraceful for a son who is yet a boy to stand in public within sight of his father." On the principle of sympathy the weakness of the son would bring a corresponding weakness to the father.

The Roman child up to the time he assumed the manly dress (March 17), needed the protection of a special dress, the *toga praetexta*, which has been shown to have possessed religious signification.<sup>2</sup> Again, boys and girls wore about their necks amulets called *bullae* of gold or skin usually containing the representation of the *membrum virile*, but occasionally a green lizard or a heart and perhaps other objects. These were calculated to ward off baleful influences, especially the evil eye. When the child doffed his boyish dress he hung up his *bullula* on the Lares.

#### MEN

Men, naturally, were taboo in rites in which women's interests were especially involved. The taboo on men in such cases is due simply to the fact that they are strange creatures, physiologically unlike women, and so possessing potential danger. Hence the presence of men in women's rites interferes with the efficacy of those rites. This was particularly the case in the festival of Bona Dea. We recall that Clodius, dressed as a dancing girl, entered the house of Caesar with the connivance of Caesar's wife when the rites were being held there. This sacrilege was a first-rate scandal at the time.<sup>3</sup> Men, again, were taboo in the worship of Vesta. We read,<sup>4</sup> that once while the temple of Vesta was in flames, Metellus, the Pontifex Maximus, saved the sacred fire against the ravages of the ungodly flames which threatened her. Metellus, blinded by the deed because of his sacrilege, was allowed to come to the meetings of the Senate in a chariot.

<sup>1</sup> *B.G.* vi. 18.

<sup>2</sup> Cf. W. Warde Fowler, *Classical Review*, X (1896), 317.

<sup>3</sup> Plutarch *Caesar* 9-10.

<sup>4</sup> Ovid *Fasti* vi. 437-54.

## STRANGERS

We have already indicated the danger of contact with strangers, especially an enemy with whom a nation is at war. Cicero explicitly states<sup>1</sup> that the Roman had an aversion for foreigners. Livy records<sup>2</sup> that after the capture of Capua the statues which had been purloined by the Romans were placed in the hands of the College of Pontiffs to be purified. Some notion of taboo may lie behind the expulsion of the foreign Volscians from the sacred games in 491 B.C. According to Livy's account<sup>3</sup> the Volscians at least so interpreted their expulsion. The feeling that a Roman had toward an enemy is well expressed by the words of the consul in the Hannibalic War who accused Hannibal's men of subsisting on human flesh "whom even to touch were an impiety."<sup>4</sup> Lucius Scipio Asiaticus was saved from prison by the veto of Tiberius Sempronius Gracchus, father of the Gracchi, on the ground that the prison had contained enemy prisoners. This feeling of danger from contamination with foreigners was a sufficiently strong motive for Sempronius to use it as a pretext to save Scipio.<sup>5</sup>

In at least one religious rite, of whose nature, however, we know nothing, it is expressly stated that the stranger (*hostis*) depart from the sacrifice.<sup>6</sup> We have already seen<sup>7</sup> that a priest, the *verbenarius*, went with the fetials into foreign lands carrying the sacred greens which he used in disinfecting the army.

A curious case of taboo, germane to the taboo on strangers, but of a slightly different sort, is found in the accounts of the early Romans. In 445 B.C. Gaius Canuleius, a tribune, proposed a bill to legalize marriage between plebs and patricians. The consuls opposed the measure on the ground that if it were allowed religion would be thrown into confusion and nothing would be left uncontaminated. From the patrician point of view the plebs were taboo and hence dangerous to the religious system. Such, at any rate, was their interpretation for the edification of the plebeians whom they wanted to keep from usurping their immemorial rites.<sup>8</sup> Again, the election of a plebeian consul

<sup>1</sup> *Tus. Disput.* iv. 11. 27.

<sup>2</sup> xxvi. 34. 12. Cf. Macrobius *Saturn.* iii. 3. 1.

<sup>3</sup> ii. 37. 9.

<sup>4</sup> Livy xxiii. 5.

<sup>5</sup> Gellius vi. 19. 7.

<sup>6</sup> Festus 82.

<sup>7</sup> Pliny *Nat. Hist.* xxii. 5. 12-21.

<sup>8</sup> Livy iv. 2. 5-7.

was looked upon as *nefas*.<sup>1</sup> In the consulship of Marcus Valerius and Quintus Apuleius an attempt was made on the part of the plebeians to secure representation in the college of augurs and pontiffs. The patricians opposed the measure on the ground that the gods would oppose such contamination.<sup>2</sup> Further, a slave was believed to interfere with the efficacy of a religious rite. The Magni Ludi of 491 B.C. had to be repeated because a Roman had driven a slave under the yoke through the Circus Maximus early on the morning of the day set for the games.<sup>3</sup> Nero, in 60 A.D., instituted games on the model of the Olympic games; and Tacitus informs us<sup>4</sup> that, while considerable license was allowed, slave pantomime actors were excluded because of the religious character of the games.

These taboos on the plebeians are artificially produced by the upper classes for their own selfish ends; and the taboo on slaves may be explained in a similar way.

It seems odd that among the Romans as well as among ancient peoples and among savages of our own day, strangers, who are ordinarily taboo, should often be treated with consideration; but the explanation is rather simple; for, as the stranger possesses *mana* which is at least potentially dangerous, he must be prevented from doing harm; and the means to attain this end is feeding and housing him.<sup>5</sup> The Malays, we read,<sup>6</sup> fear the Jakuns who are skilled in magic and can, by striking two sticks together, cause an enemy to die; but they can do good, too; and for this reason the Malays treat the Jakuns with respect.

Caesar writes the following concerning the Germans:<sup>7</sup> "They do not think it right to violate a guest; those who, for whatever cause, have come to them, they keep from harm and hold sacred; the houses of all are open to them; with them food is shared." The Germans housed and fed the stranger as if he were their own; and thus becoming one of them in reality he was no longer able to do them harm. The Romans, as all readers of Livy will recall, welcomed strangers, both men and gods, within their gates albeit outside the sacred *poenomerium*.<sup>8</sup>

<sup>1</sup> *Ibid.* iv. 3. 9.

<sup>2</sup> *Ibid.* x. 6.

<sup>3</sup> *Ibid.* ii. 36. 1.

<sup>4</sup> *Annales* xiv. 21.

<sup>5</sup> Cf. Fowler, *The Religious Experience of the Roman People*, p. 32; Westermarck, *The Origin and Development of Moral Ideas*, I, 570 ff.

<sup>6</sup> Tylor, *Primitive Culture*, I, 114.

<sup>7</sup> *B.G.* vi. 23.

<sup>8</sup> Cf. Fowler, *The Religious Experience of the Roman People*, pp. 223-47.

I have in the introduction to this paper, in discussing the general principles of taboo or *negative mana*, suggested my belief as to the origin of the taboo on strangers. To the association of suffering and death with the stranger there mentioned may be added the presence of blood in combat with the stranger foe.

#### CORPSES

Corpses in all ages have been considered uncanny and infectious and to need purificatory rites. A Roman, for instance, could not dedicate a temple if a member of his family lay dead.<sup>1</sup> According to Petronius<sup>2</sup> it was believed that one's strength could be impaired by treading on a corpse. A boy who had been performing acrobatic stunts on a ladder at Trimalchio's feast slipped and fell. Uproar ensued, not, as Petronius assures us, because the boy fell, but because his death, especially since he was a slave, would have been ill-omened.<sup>3</sup> In the year 459 B.C. the expiatory sacrifice (*lustrum*) was not offered because the Capitol had been stained by the blood of exiles and slaves and because the consul had been slain.<sup>4</sup> Scipio Africanus the Elder was found dead one morning in bed. Velleius writes<sup>5</sup> that no inquest was made of his death; and we may readily believe that this was due to the superstitious horror of the corpse. The Romans under Titus Flaminus refused to hazard battle near Scotussa because they discovered that the *tumulus* from which their general had harangued them was a place of burial.<sup>6</sup> A superstition prevalent in Cicero's day deserves mention at this juncture: that one's memory might be impaired by reading epitaphs.<sup>7</sup> Those who attended a Roman funeral procession "on returning were sprinkled with water and walked over fire—a kind of disinfection called *suffitio*," writes Festus.<sup>8</sup> Crawley attributes<sup>9</sup> the fact that acolytes must be children whose parents were living (*patrimi, matrimi*) to the taboo on death; and this seems most likely, for if their parents were dead the children might have affected the rites dangerously. The *flamen dialis* was not allowed to set foot on a grave nor touch a dead body.<sup>10</sup> It was a Roman custom to place

<sup>1</sup> Livy ii. 8. 7.

<sup>5</sup> ii. 4. 6.

<sup>9</sup> *The Mystic Rose*, I, 132-33.

<sup>2</sup> *Satyricon* 134. 1.

<sup>6</sup> Plutarch *Flamin.* vii. 4.

<sup>10</sup> Gellius x. 15.

<sup>3</sup> *Ibid.* 54.

<sup>7</sup> *De Senect.* vii. 21.

<sup>4</sup> Livy iii. 22. 1.

<sup>8</sup> Festus 2.

cypress trees before the house where a person had died that the Pontifex Maximus might avoid contamination by shunning it.<sup>1</sup>

The nearest equivalent to taboo in Latin is *religio*; and it seems that the later Romans used this word exclusively in the sense of the taboo on death.<sup>2</sup> Varro, for instance, uses the term *religiosa* with this connotation of certain personal belongings of Numa Pompilius which were, according to tradition, believed to have been placed in *dolia* after his death, at a place of the same name near the Cloaca Maxima.<sup>3</sup> Not only were corpses considered dangerous but days on which the Romans celebrated the Festival of the Dead—the Parentalia, when temples were closed and it was unpropitious for girls to marry.<sup>4</sup>

The origin of this feeling with regard to dead things seems to lie in man's instinct for self-preservation;<sup>5</sup> and we may add as an additional reason a principle of *negative mana*: that among all peoples things which are strange are to be avoided.

#### KNOTS

We know that knots were considered dangerous in all religious rites among the Romans. Servius, in his commentary on Vergil's *Aeneid* iv. 518, writes: ". . . in sacred rites it is customary for nothing to be bound." The *flamen dialis* might have no knots in his clothes.<sup>6</sup> If a man in chains (*vinctus*) entered the house of a *flamen dialis*, his bonds had to be removed and cast through the *impluvium* into the street.<sup>6</sup> His wife, the *flaminica dialis*, was compelled to have her hair flowing on at least three occasions: during the ceremonial procession among the shrines called *Argei*,<sup>6</sup> at the Vestalia until after the cleansing of the *penus Vestae* by the Vestals,<sup>7</sup> and during the moving of the *ancilia* in March.<sup>8</sup> At funerals women wore their hair loosened.<sup>9</sup> Delia, the sweetheart of Tibullus, had her hair streaming during the worship of Isis.<sup>10</sup> A pregnant woman prayed to Juno Lucina with loosened hair.<sup>11</sup> The crossing of one's legs or fingers was

<sup>1</sup> Servius on *Aeneid* iii. 64.

<sup>2</sup> Gaius 2. 4.

<sup>3</sup> *De Ling. Lat.* v. 157.

<sup>4</sup> Ovid *Fasti* ii. 557–64.

<sup>5</sup> R. R. Marett, *op. cit.*, p. 24.

<sup>6</sup> Gellius x. 15.

<sup>7</sup> Ovid *Fasti* vi. 227–32.

<sup>8</sup> *Ibid.* iii. 397–98.

<sup>9</sup> Tibullus i. 1, 68; i. 3, 8.

<sup>10</sup> *Ibid.* i. 3. 31.

<sup>11</sup> Ovid *Fasti* iii. 257–58.



considered harmful to pregnant women.<sup>1</sup> No women were allowed to spin on the Ambarvalia in May.<sup>2</sup> The curious case of taboo, recorded in Pliny the Elder<sup>3</sup>—that women were not allowed to spin on the highroad—I have already mentioned (see under "Women"). In the account given by Livy of the inauguration of a Roman priest in historical times, we read that the augural staff must be *sine nodo*.<sup>4</sup> Dido, in her preparation for self-destruction, pretended to her sister Anna that she was performing magic rites to destroy her lover. We read: "Dido calls to witness the gods—having bared one foot of its sandal, and with her garment ungirt."<sup>5</sup> The sacrificial animal had to be led to the altar by a rope without a knot.<sup>6</sup> We even hear of a god Nodus.<sup>7</sup>

Similarly, rings which, like knots, were commonly used in magic rites, were taboo.<sup>8</sup> The *flamen dialis* was not allowed to wear a ring unless it was broken and stoneless.<sup>9</sup> In the religious rites which Ovid represents Numa performing in the sacred grove of Faunus, the king is forbidden to wear a ring.<sup>10</sup>

In all the instances I have cited—whether it be the taboo on rings, dressed hair, crossed legs, crossed fingers, fettered culprit, peasant's spindle, or actual knots in clothes or rope—the same principle is involved: as the ring, the crossed legs, the fettered man, the spindle, the knot bind physically, so the binding "principle" is carried over to the god and his rites—a survival of the earliest days when man believed that a thing or action in actuality, which resembled another thing or action, whether actual or conceived in the imagination, was one and the same thing.

Servius has an inkling of this principle when, commenting on *Aeneid* iii. 370 (where Helenus removes his sacred fillets from his head before he approaches the temple of Phoebus), he writes:

In the procedure of sacred rites, this [i.e., the removing of the fillets] is appropriate both for soul and body; for generally those things which cannot

<sup>1</sup> Cf. Eugene Tavenner, *op. cit.*, pp. 62–63.

<sup>2</sup> Tibullus ii. 1. 10.

<sup>4</sup> Livy i. 18. 7.

<sup>3</sup> *Nat. Hist.* xxviii. 28.

<sup>5</sup> *Aeneid* iv. 518.

<sup>6</sup> *Ibid.* iv. 518–19; cf. also *Aeneid* iv. 515–20 and Juvenal's words (xii. 5): *extensum . . . funem* applied to the sacrificial victim.

<sup>7</sup> Augustine *De Civ. Dei* 8.

<sup>9</sup> Gellius x. 15. 6.

<sup>8</sup> Cf. Tavenner, *op. cit.*, pp. 116–17; 120–21.

<sup>10</sup> Ovid *Fasti* iv. 657–58.

be done with respect to the soul *can* be done with respect to the body—as loosing or binding—that the soul may, from resemblance (*cognatio*), perceive what it cannot of itself perceive.

The priest Helenus, with his fillets removed, removed the binding “principle,” so that he was free to receive the inspiration of the god.

We know that knots and rings were commonly used in magic, and it may be barely possible that the priests deliberately discouraged objects and actions which belong to magic. Whether this be true or no, the Romans had a feeling that knots and rings had some bad influence in religious rites and hence avoided them. The most natural explanation of the taboo is on the principle of similarity.

#### IRON

The taboo on iron dates from the beginning of the Iron Age when the conservatism of religion forbade the use of the strange new material.<sup>1</sup> The taboo was due to the fear which man has of that which is new, or strange, or unknown. In historical times bronze was commonly used in magic rites. Vergil represents<sup>2</sup> Dido pretending to consult a witch who cuts herbs by moonlight with a bronze sickle. We recall the lines of Vergil<sup>3</sup> that in the reign of Saturn men had not learned to forge swords. Ovid states<sup>4</sup> that in primitive times no knife (*culler*) was used in sacrifice. This, of course, may merely be another way of saying that in primitive times animal sacrifices were unknown. The Arval Brothers were originally forbidden to use iron implements for engraving inscriptions on stones. They therefore performed an atoning sacrifice (*piaculum*) in advance in order not to incur the displeasure of the gods.<sup>5</sup> This atoning sacrifice was again made when the iron was taken from the grove. Ovid mentions<sup>6</sup> “an ancient grove, long violated by no ax.” Marcellus Empiricus, in his directions for the preparation of amulets, includes implements of reed, copper, and glass but not iron.<sup>7</sup> We know that the Etruscans used only bronze plowshares in the founding of cities; and their priests as well as

<sup>1</sup> Cf. Sir J. G. Frazer, *The Golden Bough*, II, 230.

<sup>2</sup> *Aeneid* iv. 513.

<sup>3</sup> *Georg.* ii. 536–40.

<sup>4</sup> *Fasti* i. 347–48.

<sup>5</sup> Frazer, *The Golden Bough*, II, p. 226.

<sup>6</sup> *Fasti* iv. 649–50.

<sup>7</sup> i. 85; viii. 49, 50; cf. Wissowa, *Religion und Kultus der Römer*, p. 34; Tavenner, *op. cit.*, p. 73, note 42.

those of the Sabines used bronze razors.<sup>1</sup> Among the taboos attached to the *flamen dialis* was one that his hair and nails must be cut with a bronze and not with an iron knife.<sup>2</sup> When a city or a colony was founded, a white ox and a white cow were harnessed to a bronze plow.<sup>3</sup> No iron implements could be used in repairing either the temple of Jupiter Liber at Furfo<sup>4</sup> or the Sublician bridge.<sup>5</sup> This bridge was made entirely of wood and was fastened with wooden pins.<sup>6</sup> Servius records<sup>7</sup> that if a man bound in chains entered the house of a *flamen* he must be loosened from his chains, and these had to be thrown through the *impluvium* into the street. Here, not only the fact that the man was bound and in irons made him dangerous but the fact that he was a criminal; for criminals regularly were taboo.<sup>8</sup>

#### LEATHER

Leather, as Ovid writes,<sup>9</sup> was taboo in the worship of Carmenta. This taboo applied to the *flaminica dialis* save only that she might wear sandals made from the skin of the sacrificial victims.<sup>10</sup> In the Lupercalia the Luperci wore the skins of the sacrificial victims about their loins and used lashes of them. Otherwise they were naked. We have seen that in the *aquaelicium* women walked barefoot in the ceremony of magic rain-making.<sup>11</sup> Women, according to the testimony of Ovid,<sup>12</sup> went barefoot at the worship of Vesta.

#### LINEN

In at least two religious rites linen was taboo. The *fetials* and the *pater patratus*, to whose care declaring war and the making of treaties were intrusted, were not allowed to wear linen garments;<sup>13</sup> and if the

<sup>1</sup> Macrobius *Saturnalia* xix. 13.

<sup>2</sup> Servius on Vergil's *Aeneid* i. 448.

<sup>3</sup> Fowler, *The Religious Experience of the Roman People*, p. 214.

<sup>4</sup> *Acta Fratrum Arvalium* 132; *CIL* 1. 603.

<sup>5</sup> Dio iii. 45; Pliny *Nat. Hist.* xxxvi. 10.

<sup>6</sup> Plutarch *Numa* ix. 3-4.

<sup>7</sup> *Aeneid* ii. 57; cf. Gellius x. 15.

<sup>8</sup> Fowler, *The Religious Experience of the Roman People*, pp. 32-33.

<sup>9</sup> *Fasti* i. 627-30.

<sup>10</sup> Festus 161; Servius on *Aeneid* iv. 518.

<sup>12</sup> *Fasti* vi. 391.

<sup>11</sup> Petronius *Satyricon* 44.

<sup>13</sup> Servius on *Aeneid* xii. 120.

*flaminica dialis* sewed her woolen tunic with a linen thread, a *piaculum* had to be performed.<sup>1</sup> The consul Lucius Papirius Cursor won a war of signal importance over the Samnites; and he forced the Samnites to serve in his armies, using novel religious rites at their induction: these soldiers made up his "linen legion," so called because the religious sacrifices of induction were made in an inclosure covered with linen; and the forms used were read by an old priest from a linen book.<sup>2</sup> The rolls containing the names of the magistrates, kept in the temple of Juno Moneta on the Capitoline, were called *libri lintei*.<sup>3</sup> Can it be possible that the linen on the breastplate of a Roman soldier had magical significance?<sup>4</sup> Domitian sought sanctuary from the followers of Vitellius in the Capitol; and when he was departing from the temple he made his way among the worshipers clad in a linen dress. The fact that *lineo amictu* is contrasted with *turbæ sacriolarum* by its position in the text implies that the worshipers did *not* wear linen.<sup>5</sup>

## PLACES

Thunder and lightning have always caused feelings of uneasiness among men whether savage or civilized. Juvenal writes:<sup>6</sup> "These are they who tremble and blanch at every lightning flash; and when it thunders they are helpless even on the first rumbling in the sky." Places which had been struck by lightning became taboo (*religiosa*) and were surrounded by a cylindrical shaped wall with an inscription usually with the words *fulgur conditum*.<sup>7</sup> Such places were called *bidentales*, sometimes *puteales*: the former, as we learn from Festus<sup>8</sup> and Horace,<sup>9</sup> because a lamb (*bidens*) was sacrificed as a *piaculum*; and the latter because of the wall's likeness to a well (*puteal*). There seems to have been a college of priests (*sacerdotes bidentales*) in charge of the religious rites involved in the *piaculum*.<sup>10</sup> On one occasion in 55 A.D. the temple of Jupiter and Minerva was struck by lightning, and Nero, on the advice of the soothsayers, purified the whole city.<sup>11</sup>

<sup>1</sup> *Ibid.*<sup>4</sup> *Ibid.* iv. 20. 7.<sup>2</sup> Livy x. 38.<sup>5</sup> Tacitus *Hist.* iii. 7.<sup>3</sup> *Ibid.* iv. 7. 12.<sup>6</sup> xiii. 223-24.<sup>7</sup> Festus 92. Cf. Fowler, *The Religious Experience of the Roman People*, p. 37; Wissowa, *op. cit.*, p. 122 and note 3.<sup>8</sup> Festus 33.<sup>10</sup> See Wissowa, *op. cit.*, p. 131.<sup>9</sup> *Ars Poetica* 470-72.<sup>11</sup> Tacitus *Annales* xiii. 24.

The emperor Galba once performed a *piaculum* after a place had been struck by lightning.<sup>1</sup> According to the laws of Numa, as recorded in Festus,<sup>2</sup> a man who had been struck by lightning must not be lifted above the knees and no rites of burial could be performed. Pliny says<sup>3</sup> that such a man might not be cremated but must be buried, presumably on the spot where he had been struck.

Places where bodies were buried became *religiosa* and remained so as long as the body was contained therein.<sup>4</sup> This taboo is clearly referable to the taboo on death and the corpse.

Many taboos on places arose from particular events which had proved disastrous. For instance there was a curious taboo on the right-hand passage of the *Porta Carmentalis* because the hundred and six members of the Fabian family had passed through it against the Veii, never to return.<sup>5</sup> The taboo in this case certainly arose from this event.

We have in this paper treated the following taboos in Roman religious life: blood, women, children, men, strangers, corpses, iron, linen, leather, and places. Of these, the taboo on blood has been found to have arisen either from instinct or because of the association of death and suffering with its presence; that on women and children from the fact that they are weak physically, and this weakness, by the familiar law of association by similarity, may be communicated to the religious rite, affecting it adversely; that on strangers may be due merely to the fact that what is new or unfamiliar is dangerous, and because of the association of ideas of death and blood and pain with the stranger; that on corpses may be instinctive, for we know that man instinctively clings to life and shuns death: moreover, a dead body is out of its normal state and hence strange, and so is avoided; the taboo on iron, too, is merely due to its strangeness at the time when it was introduced; that on linen is not clear to the writer, but it may be due to the fact that man used linen after he had been familiar with the use of other materials: skins, wool, and so on; the taboo on

<sup>1</sup> Suetonius *Calig.* iv. 2.

<sup>2</sup> 178.

<sup>3</sup> *Nat. Hist.* ii. 145.

<sup>4</sup> Cf. Cicero *De Legg.* ii. 57; Ulpian *Dig.* xi. vii. 2. 5; Paulus *Dig.* xi. 7. 44.

<sup>5</sup> Ovid *Fasti* ii. 201-02; Livy xl. 8.

leather is difficult to understand: it may have been deliberately worked up by the priests for some special reason unknown to us and survived after the reason for its coming into existence had passed away; the taboo on places struck by lightning is inspired by fear of the unknown and the unexplainable (the fact that many persons in our day have an uneasy feeling when it thunders and lightnings is sufficient comment); the taboo on other places is due to special events which were attended with disasters; and the taboo on certain days arises from the same causes.

Taboos, then, arise either from some *general* cause which is common to a group: strangeness, for example, being the most common; or for some *specific*, artificial reason as the taboos on certain places, things, and days.

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FRAGMENTS OF DOCUMENTS REGARDING FISHING

By ROBERT C. HORN

PLACE?            *a*, CM. 5.5×11.5            *b*, CM. 11×29            2D-3D CENT. A.D.

THE editors have this to say: "Fragments of two pages of a document, whose nature we cannot indicate. It treats of fishing and sellers of fish, of women given to such sale (what are *εἶπευ* and *εἰμμένον*?), of hours and places of sale, etc. It is probable that in more than one place it is read badly by us, though the writing is clear where it is not spoiled by lacunae. Under line 9 there are now about 5 cm. of margin (and there might be more); about 10 cm. under line 30."

Making use of the textual suggestions of the editors, and filling many of the lacunae, I think I have found a fair interpretation of the first fragment and a practically certain interpretation of the second. My starting-point is *εἶπευ* and *εἰμμένον*, whose meanings in connection with fish seem to me quite certain.

This document seems to be the answer of an official to a complaint made by certain fishermen. Perhaps it is the record sent to a superior. The fishermen were evidently forbidden to sell fish in the city before dawn. I imagine they had done so, or had allowed their wives to do so, and had been called to account for it. The official demanded that they keep the law. Their other privileges are not abridged. The official's account of the case is fragmentary in the first part; but the second part can be almost wholly reconstructed, where he answers the complaint of the fishermen.

In the first part, we note some information about the testimony and the facts. There is mention of the shutting-up of the wives, which is explained in the second part. The tax official did not allow the fishermen to sell fish about the city; then the fishermen came in and allowed their wives to sell.

In the second part, the official tells how he acted in the case. The fishermen were allowed to store their catch in their own storehouses.



Their wives had to string the fish in order that the fish might be sold during the day without confusion, as they did not have the right to sell during the night. The official fastened the doors with ropes and allowed the women inside to string the fish until early morning; from this time on the fishermen were allowed to sell the fish. Then comes a series of vigorous questions which the official had put to the fishermen. A minor official, the *palaestrophylax*, seems to have exceeded his authority; there is a hint of the possibility of a bribe. But it looks as if the fishermen did not have much of a case. The official at the end insists most earnestly that there must be no selling of fish during the night; this cannot be done until dawn. Evidently that is the law, and the law must be obeyed.

## GREEK TEXT

a

- ιχθυοπωλ]ειου  
 μα]ρτυρ<sup>ρ</sup> = μα]ρτυρ(ουσι)  
 ]  
 5 τας γυναι]κας αυτων ενκε-  
 κλεισμενας]  
 και]τον τελων<sup>ρ</sup> = τελων(ην)  
 μη εαν αυτους π]ερ<sup>ρ</sup> τη πολει πωλειν  
 επειτα δ' εισ]ηλθοσαν οι αλιεις  
 εωντες τας γυ]ναικας εαυτων πω<sup>λ</sup> = πωλειν

b

- 10 μητε] ερ [γων τους] ιχθυο<sup>τ</sup> = ιχθυοπωλας  
 και]μητε κ[ωλ<sup>ν</sup> ταυτ' εποι]ησα = κωλυων  
 εν]εκλεισαν την [ιχ]θυαν  
 εαυτων εις τας αποθηκας  
 [ε]αυτων εδει [δε] τας γυναικας  
 15 εαν]τον ειρειν [γ]να ημερας ατα- = εαυτων  
 [ρα]χως ειρμενον πωλωσι και  
 [μ]ητε εξουσιαν [ε]χωσι δια νυκ-  
 τος πωλειν, κλεισας <sup>πεισμασιν</sup> τας θυρας  
 ειασα τας [γ]υναικας ειρειν  
 20 μεχρι πρωιας κ[αι π]ρωιας επω-

- λησαν. τί τ[ο ἀτ]οπημα; [τις]η επι-  
 βουλη; μη τ[ιμ]ι[ο]ν τι υμων[πρ<sup>ο</sup> δ] = πράττει  
 παλαιστροφυλαξ; μη εδωκατε  
 μοι τι; πλειονος δε τι(μης) ον πεπρακατε;  
 25 τι(μη) δε ιχθυος εστη. ου κοπασμου α[νευ]  
 [ε]στιν ινα εισαγητε και οτε μεν εις  
 τον νομον μη πω<sup>λ</sup> οτε δε εις αλλω̄ = πωλουντες = αλλους  
 νομους; τον δε και εις την πο<sup>λ</sup> = πολιν  
 εισαγομενον δια νυκτος εις ανα<sup>λ</sup> = ανα  
 30 μη πωλητε.

## TRANSLATION

## a

## SELLING OF FISH (?)

## THEY TESTIFY

that their wives were shut up . . . and that the tax official did not allow them to sell about the city. Then the fishermen came in, allowing their wives to sell.

## b

Neither confining the sellers of fish nor hindering them, this is what I did. They shut up their catch in their own storehouses. And it was necessary for their wives to string [the fish], in order that they might sell the string during the day without confusion; and that they might not have the opportunity to sell during the night, I fastened the doors with ropes and allowed their wives to string until early morning; and early in the morning they sold [the fish]. What is the trouble? What is the plot? Surely the *palaestrophylax* doesn't exact anything of value that belongs to you? You didn't give me anything, did you? Haven't you sold at a better price? And the price of fish held. Isn't it possible without cessation to bring fish sometimes into the nome when you don't find sales, and sometimes into other nomes? But what is brought into the city during the night don't sell until dawn.

## EDITOR'S NOTES ON READINGS

2. μα]ρ τυρ<sup>ο</sup>.
- 4 f. Perhaps ενκε | [κλεισμενας; cf. 12, 18.
8. ηλθοσαν. It may be εισηλθοσαν, etc; cf. Mayser, pp. 323, etc.
10. ιχθυοπώλης (οπράτης). Cf. S. Nicolo, *Aeg. Vereinswesen*, I, 95.

12. [εν]εκλεισαν. Cf. 4 n.
14. Perhaps εδει τε (l. δε).
20. κ[αι π]ρωας: "and during the morning."
- 21 f. τι το αποπημα [sic]; τις η επιβουλη;
23. παλαιστροφυλαξ. P. Amh. 124, 3 (W. Chrest. 152), B.G.U. 466, 2.
- 27 f. He meant αλλους νομους, or rather αλλο(ν) νομον.
29. αυαι. Perhaps the last letter is only ν.

## COMMENTS

The other additions and emendations are my own. A few words should be said about some of them, particularly αυαν in line 29, in addition to a few notes on interpretation.

6. τελωνης. Paypri dealing with fish, fishing, and taxes connected with this are: P. Par. 63, col. IV, 98 (ca. 164 B.C.); P. Par. 67, 15 (prob. late Ptolemaic); B.G.U. 485 (second century A.D.); B.G.U. 277 (second century A.D.); P. Tebt. 298 (107 A.D.); P. Tebt. 359 (126 A.D.); P. Path. 4, in Archiv II (Ptolemaic); P. Flor. 127, 14-15 (third century A.D.); P. Hamb. 6 (129 A.D.); P. Corn. 46 (129 A.D.); P. Giess, 98 (prob. second century A.D.); and B.G.U. 220 and 221 (ca. 200 A.D.). Cf. also P. Fl. Petr., II, 38; A. Stöckle, "Spätromische und Byzantinische Zünfte," *Klio*, IX, Beiheft, 45-46; F. Preisigke, *Städtische Beamtenwesen*, pp. 30 and 61; and particularly U. Wilcken, *Griechische Ostraka*, I, 131-32, 136, 137 ff.
- Fish-sellers appear to pay a tax to the τελωνης αγορανομικοι.
12. ιχθνα is the catch. In P. Hamb. 6 this is the meaning of θηρας ιχθνας; so in P.S.I. 160, where the editor equates with ιχθνας, and compares P. Hamb. 6; B.G.U. 1123, 9; and P.B.M. 856, 21 (III, 92).
15. To my mind, there is no doubt that ειρειν is "to string" fish, and ειρμενον (16) is the "string" of fish. The stringing of fish is common enough today, as I presume it was in antiquity. In *Od.* xviii. 296 a necklace is described as ἡλέκτροισιν ἐερμένος, strung with pieces of electrum. Cf. also *ibid.* xv. 460: μετὰ δ' ἡλέκτροισιν ἔερτο.
21. αποπημα, not αποπημα, should be read. The word occurs in P.S.I. 184. The meaning is "wrong," "offense," "error." Preisigke's *Wörterbuch* gives several other instances; among the meanings given are *Versehen*, *Vergehen*.
23. παλαιστροφυλαξ. Of this official little is known. Cf. P. Amh., II, 124 (third century A.D.), published also with some explanation by Mitteis and Wilcken, *Grundzüge und Chrestomathie der Papyrskunde*, I, 2, No. 152 (dated here second century A.D.). Cf. also B.G.U. 466, 2.

The document published by Mitteis and Wilcken gives the guards assigned to various municipal officers of Hermopolis. The *palaestrophylakes* are described as *Ehrenwächter*. The *agoranomoi* have one. I think we are justified in assuming that the παλαιστροφύλαξ of our document is the παλαιστροφύλαξ of the αγορανόμοι. This one seems to have been rather officious.

25. *κοπασμον* = "cessation." Not found in Preisigke's *Wörterbuch*. Herwerden gives *κοπάζειν* = *ἀνιέναι*, *παύεσθαι*, and refers to Herodotus vii. 191: *ἐκόπασε δ' ἄνεμος*. Liddell and Scott quote Matt. 14:32 also. Moulton and Milligan, in their *Vocabulary of New Testament Greek*, under *κοπάζω* refer to Thumb, *Hell.*, pp. 209, 211, 214, and quote Hesychius for *κόπασον· ἡσύχασον· κόπασις* and *κόπασμα* occur. *κοπάζω* occurs in modern Greek, "abate," "subside," "remit." *κοπασμοῦ* seems to me the appropriate noun corresponding to *κοπάζω*, with the meaning "cessation," "let up."
25. *α[νευ]*. This preposition occasionally follows its noun even in Attic Greek, and frequently follows its noun in later prose. See Liddell and Scott (new ed.). The word *ἀνευ* is not found in Preisigke's *Wörterbuch*, but neither is *κοπασμός*; and this is no argument that it does not occur in the papyri.
29. *αυαν* = "dawn." Herwerden states that *αἶα* = *ἡώς* may be found in Sappho and elsewhere. *αἶα* does not occur in Preisigke's *Wörterbuch*; but neither *ἡώς* nor *ἔως*. What is the word for "dawn" in the papyri when it is needed? Why not *αυα*?

From Kühner-Blass, *Gram.*<sup>3</sup>, I, 1, 455, I glean the following: *Ψάπφα* by-form to *Ψάπφοι* and *Σάπφως*; *αἶα* for *αἶως*, Apollon. adv. 596 (frag. 152, Bgk.); *ἄας* for *ἡοῦς*, *Il.* © 470 n. Zenodotus, which in Hesychius is called Boeotian.

Apollon. de adv. in *Bekkeri Anecdota*, II, 596, *παρὰ Σαπφοῖ τὸ αἶα*. Cf. *Etym. Mag.*, p. 174, l. 38, *εἴρηται παρὰ τὴν αἶαν Αἰολικῶς τὴν ἡμέραν τὴν γὰρ ἡὼ οἱ Αἰολεῖς αἶαν φασί*.

A few Aeolic forms seem to live in the papyri. Cf. Mayser, *Gram.*, p. 9. He quotes particularly *μαλοπαραύαν* from P. Petr., II, 35 (1), 11 (244-240 B.C.). In a footnote he refers to Hesychius, *μαλοπάρανος· λευκοπάρεως*, and cites Thumb, *Die griechische Sprache im Zeitalter des Hellenismus*, pp. 62 f.

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## THE ORIGIN AND MEANING OF LATIN *at*

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THE statement of Charisius,<sup>1</sup> "*ast*<sup>2</sup> apud antiquos variam vim contulit pro *atque*, pro *ac*, pro *ergo*, pro *sed*, pro *tamen*, pro *tum*, pro *cum*, ut in glossis antiquitatum legimus scriptum," and that of Priscian,<sup>3</sup> "*at* quoque pro *saltem* et *vel* et *aut* invenitur," seem to indicate that Roman grammarians were as much in doubt about the precise meaning of *at* (*ast*) as are the scholars of today. Leaving no apparent trace of its origin after centuries of use, the word had to be interpreted from the context in which it was found; and, although it was generally looked upon as an adversative particle, there remained nevertheless many examples that could not be explained on this assumption. A conjunction, it must be clear, may introduce an adversative clause without being itself primarily adversative in character. Both *et* and *καί*, as is often pointed out, are followed at times by antithetical statements. Besides, mere asyndeton, with or without chiasmus, is sufficient to set off contrasting thoughts.

But even if it could be demonstrated that *at* was, or in time became, an adversative conjunction, the interesting and important question would arise as to how it differed from *sed*, *vero*, *autem*, *tamen*, etc., since it never seems to be replaced by any of these words, but continues in use, sometimes in the same passage with *sed* or some other common adversative, throughout all Latinity. In a word, *at* (when it seems to be an adversative) has overtones which Lat. *sed* and Eng. *but* do not possess. It is used apparently with design, to produce its own characteristic effect. And this peculiar, distinctive force is not lost when *tamen*, *certe*, *saltem*, *vero*, *contra*, or *e contrario* is joined to it. In fact, the frequent addition of out-and-out adversatives admits of the suggestion that perhaps it is not a purely adversative force that

<sup>1</sup> *Gramm.* i. 229. 30.

<sup>2</sup> *Ast* is not, as sometimes stated, an old form of *at*, but a separate word (perhaps a mere copulative originally) that came to be used in place of *at*, as is evident from *Paul. Fest.* 6 and numerous glosses. In his statement about *ast*, Charisius obviously has in mind the word that was generally looked upon as an equivalent of *at*.

<sup>3</sup> *Gramm.* iii. 99. 21.

*at* contributes to the expressions, *at tamen*, *at certe*, *at vero*, etc. At all events, *at* is different from any other adversative.

It cannot be established, however, that *at* in every instance is essentially adversative. The grammarians recognized this and commented on the variety of forces they detected in the word. The meanings assigned include *et*, *que*, *etiam*, *atque*, *καί*, *vel*, *aut*, as well as *vero*, *sed*, *tamen*, *autem*, *δέ*. The modern lexicographer,<sup>1</sup> distinguishing among the uses of *at* a multitude of divisions and subdivisions, fails to remove the maze that surrounds the word. Certain questions continue to rise. Is it possible to find a common denominator for the many different forces that the word seems to have in classical literature? Can this seeming diversity of use be accounted for in any way?

*Attat* (*atat*), although no one so far as I know has suggested a possible connection between it and *at*, seems to offer a very plausible solution to our problem. It is an interjection, and, together with the forms *attatae*, *atatatae*, *attatatatae*, *attatte*, *attattate*, *attattattat*, and *attattatat*, is apparently derived from a spontaneous expression of feeling, an instinctive cry, the simplest form of which would naturally have been the single syllable *at*.<sup>2</sup> It is significant that in early Latin the interjection *attat* (*atat*) has a force resembling that of the conjunction *at*. Both are used to indicate a quick, impulsive transition to something surprising or keenly felt. Both are frequently intensified by the addition of *pol* or *hercule*. In paratactic utterance, *at* was presumably an interjection. And the emotional and dramatic force that such an exclamation carries with it remains as the essential quality of the word in Latin. It is a secondary rôle that it plays as an adversative conjunction, and as such represents a development that is easily understandable in view of the peculiar force of *at*, which primarily calls attention to a new or unexpected turn of thought. But, as we have seen above, *at* is not necessarily adversative, although oftentimes this is incidentally

<sup>1</sup> See esp. *Thesaurus linguae Latinae* under *at*.

<sup>2</sup> In view of the forms *ἀτάρ* (*āt + āp*) and *ἀτταράϊ*, it is possible that *at*, *attat*, *atat*, *attatae*, *attattattat*, etc., came into Latin from the Greek. But it would seem more probable that the *āt* of *ἀτάρ* represents a common exclamation in colloquial Greek which early found its way (perhaps at first through Greek traders) into the Latin language, and that the Latin interjections were developed independently from this hypothetical *at*. In any case, however, the Greek forms must have exerted an influence on the development and use of the interjections in Latin literature. *Attatae* seems to be taken over directly from *ἀτταράϊ*. No single word glosses Lat. *at* more effectively than does *ἀτάρ*.

the nature of its clause. Its use regularly points to an interjection as its origin. Frequently, as a matter of fact, it must be translated as an exclamation—with a sense not unlike *attat* (*atat*).

Since *at* occurs more than eleven hundred times in Cicero (almost three times as frequently as in any other author), and since almost half of the instances in Cicero appear in the orations, a study of its use in the *divina Philippica* ought to offer a significant commentary on the origin and meaning that we have just suggested for the word.

In ten out of forty-two examples in the second *Philippic*, *at* introduces a question or exclamation in which the emotional force of the word has free play. It marks a sudden outbreak of feeling, whether of indignation, astonishment, grief, shame, sarcasm, contempt, or ridicule:

6. An de interitu rei publicae queri non debui, ne in te ingratus viderer? At in illa querella misera quidem et luctuosa, sed mihi pro hoc gradu, in quo me senatus populusque Romanus collocavit, necessaria quid est dictum a me cum contumelia, quid non moderate, quid non amice?

14. Huius ego alienus consiliis consul tum usus sum, tu sororis filius ecquid ad eum umquam de re publica rettulisti? At ad quos refert? di immortales! Ad eos scilicet, quorum nobis etiam dies natales audiendi sunt.

28. At quem ad modum me coarguerit homo acutus recordamini. "Caesare interfecto," inquit, "statim cruentum alte extollens Brutus pugionem Ciceronem nominatim exclamavit."

43. At quanta merces rhetori data est! Audite, audite, patres conscripti, et cognoscite rei publicae vulnera.

65. At quam insolenter statim helluo invasit in eius viri fortunas, cuius virtute terribilior erat populus Romanus exteris gentibus, iustitia carior!

70. At quam crebro usurpat: "Et consul et Antonius"! hoc est dicere: et consul et impudicissimus, et consul et homo nequissimus.

94, 95. Haec vivus eripuit, reddit mortuus. At quibus verbis? Modo aequum sibi videri, modo non iniquum. Mira verborum complexio!

95. At quam caeca avaritia est!

101. At quam nobilis est tua illa peregrinatio! Quid prandiorum adparatus, quid furiosam vinulentiam tuam proferam? Tua ista detrimenta sunt, illa nostra.

104. At quam multos dies in ea villa turpissime est perbacchatus! Ab hora tertia bibebatur, ludebatur, vomebatur. O tecta ipsa misera . . . !

But in statements, as well as in questions and exclamations, *at* is used to indicate an abrupt transition to a new turn of thought which deeply rouses the writer or speaker. Sometimes such clauses happen to



furnish examples of the *rhetoricus usus occupandi*, as in 54: *At vir bonus et re publica dignus* ("Ah, then, he was a *vir bonus*, etc."), but the real function *at* performs is that of giving dramatic intensity to the thought or idea thus introduced.

3. At enim te in disciplinam meam tradideras (nam ita dixisti), domum meam ventitabas. Ne tu, si id fecisses, melius famae, melius pudicitiae tuae consulisses.

5. At beneficio sum tuo usus. Quo? Quamquam illud ipsum, quod commemoras, semper prae me tuli.

9. Quid enim est minus non dico oratoris, sed hominis quam id obicere adversario, quod ille si verbo negarit, longius progredi non possit, qui obiecerit? At ego non nego teque in isto ipso convinco non inhumanitatis solum, sed etiam amentiae.

21. At ego suasi. Scilicet is animus erat Milonis, ut prodesse rei publicae sine suasore non posset.

21. At laetatus sum. Quid ergo? in tanta laetitia cunctae civitatis me unum tristem esse oportebat?

38. At vero Cn. Pompei voluntatem a me alienabat oratio mea. An ille quemquam plus dilexit, cum ullo aut sermones aut consilia contulit saepius?

77. At videte levitatem hominis. Cum hora diei decima fere ad Saxa rubra venisset, delituit . . . caput aperuit, in collum invasit. O hominem nequam! Quid enim aliud dicam? magis proprie nihil possum dicere.

100. Unde ista erumpunt, quo auctore proferuntur? Si sunt falsa, cur probantur? si vera, cur veneunt? At sic placuerat, ut Kalendis Iuniis de Caesaris actis cum consilio cognosceretis. Quod fuit consilium, quem umquam convocasti, quas Kalendas Iunias expectasti?

In eleven passages *at* seems to have a meaning close to that of exclamatory "why" in colloquial English (*at etiam*, "Why, he even went so far as to," "Why he actually, etc."). It serves as a signal that something unexpected and almost inconceivable is to be stated. The thought is represented as coming to the mind of the speaker just on the spur of the moment. Frequently the effect is explosive.

7. At etiam litteras, quas me sibi misisse diceret, recitavit homo et humanitatis expers et vitae communis ignarus. Quis enim umquam. . . .

16. At etiam ausus es (quid autem est, quod tu non audeas?) clivum Capitolinum dicere me consule plenum servorum armatorum fuisse.

20. At etiam quodam loco facetus esse voluisti. Quam id te, di boni, non decebat!

42. At vero adhibes ioci causa magistrum, suffragio tuo et conpotorum tuorum rhetorem, cui concessisti, ut in te, quae vellet, diceret, salsum omnino hominem. . . .

67, 68. At idem aedes etiam et hortos. O audaciam immanem! tu etiam

ingredi illam domum ausus es, tu illud sanctissimum limen intrare, tu illarum aedium dis penetibus os inpurissimum ostendere?

72. an sine me ille vicit? At ne potuit quidem. Ego ad illum belli civilis causam attuli, ego leges perniciosas rogavi, ego arma contra consules imperatoresque populi Romani, contra senatum populumque Romanum, contra deos patrios arasque et focos, contra patriam tuli.

76. At etiam adspicis me, et quidem, ut videris, iratus. Ne tu iam mecum in gratiam redeas, si scias, quam me pudeat nequitiae tuae, cuius te ipsum non pudet.

86. At etiam misericordiam captabas; supplex te ad pedes abiciebas quid petens? ut servires?

87. At etiam adscribi iussit in fastis ad Lupercalia C. Caesari dictatori perpetuo M. Antonium consulem populi iussu regnum detulisse; Caesarem uti noluisse. Iam iam minime miror te otium perturbare. . . .

95. Modo aequum sibi videri, modo non iniquum. Mira verborum complexio! At ille numquam (semper enim absenti adfui Deiotaro) quicquam sibi, quod nos pro illo postularemus, aequum dixit videri.

97. At huius venditione decreti, ne nihil actum putetis, provinciam Cretam perdidistis.

In a few instances, *at* introduces a clause that is decidedly adverse in character. But this force is due to the context rather than to the presence of *at*. Again and again in this oration asyndeton is used to set off strongly contrasting statements. *At*, whenever it is used, registers the mood of the orator, and with a quasi-dramatic gesture reveals the effect which the very contemplation of the contrast has upon his mind and heart; as in 12: "Non placet M. Antonio consulatus meus. At placuit P. Servillo, . . . placuit Q. Catulo . . .," where the emotional intensity of the speaker is further indicated by the use of anaphora in a long passage (about fifteen lines) which builds up an impressive climax. Other examples:

6, 7. Quod quidem cuius temperantiae fuit, de M. Antonio querentem abstinere maledictis! praesertim cum tu reliquias rei publicae dissipavisses, cum domi tuae turpissimo mercatu omnia essent venalia, cum . . . , cum . . . , cum . . . , cum . . . . At ego, tamquam mihi cum M. Crasso contentio esset, quocum multae iam et magnae fuerunt, non cum uno gladiatore nequissimo, de re publica graviter querens de homine nihil dixi.

20. "Cedant arma togae." Quid? tum nonne cesserunt? At postea tuis armis cessit toga.

21. Quod quidem ego favisse me tibi fateor, suasisse ne tu quidem dicis. At Miloni ne favere quidem potui; prius enim rem transegit, quam quisquam eum facturum id suspicaretur.

105. Quae in illa villa antea dicebantur, quae cogitabantur, quae litteris

mandabantur! Iura populi Romani, monimenta maiorum, omnis sapientiae ratio omnisque doctrinae. At vero te inquilino (non enim domino) personabant omnia vocibus ebriorum, natabant pavimenta vino, madebant parietes, ingenui pueri cum meritoriis, scorta inter matres familias versabantur.

106. Cum inde Romam proficiscens ad Aquinum accederet, ob viam ei processit, ut est frequens municipium, magna sane multitudo. At iste operta lectica latus per oppidum est ut mortuus.

108, 109. Kalendis Iuniis cum in senatum, ut erat constitutum, venire vellemus, metu perterriti repente diffugimus. At iste, qui senatu non egeret, neque desideravit quemquam et potius discessu nostro laetatus est statimque illa mirabilia facinora effecit.

111. Disertissimum cognovi avum tuum, at te etiam apertioem in dicendo. Ille numquam nudus est contionatus, tuum hominis simplicis pectus vidimus.

The expression *at tamen* occurs twice in the second *Philippic*—in 78: "Celeriter isti, redisti, ut cognosceret te si minus fortem, at tamen strenuum"; and in 116: "res bello gesserat quamvis rei publicae calamitas, at tamen magnas." In both cases, adversative *tamen* is used to join and contrast two adjectives, while *at*, as in the preceding examples, emphasizes the emotional reaction of the speaker to the contrast he has in mind. The words *at* and *tamen* are separated in 9: "At ego tuas litteras, etsi iure poteram a te lacessitus, tamen non proferam," where it is evident that *tamen* is so placed to answer *etsi*.

The use of *at* at the beginning of an apodosis seems to have puzzled contemporaries of Priscian, for he explains in certain specific instances that *at* is used in place of *saltem*. But, as we have seen above, *at* regularly expresses deep feeling, and its force in an apodosis differs in no essential way from that which it has under other circumstances. So it appears in 114: "Quodsi se ipsos illi nostri liberatores e conspectu nostro abstulerunt, at exemplum facti reliquerunt. Illi, quod nemo fecerat, fecerunt."

Throughout the oration, then, it is clear that the use of *at* confirms our thesis. The second *Philippic* displays one of the most violent and bitter attitudes that Cicero ever evinced in public utterance.<sup>1</sup> And *at*, apparently, is one of the agencies by which his impetuous nature expresses itself. But his use of *at* is not confined to

<sup>1</sup> The second *Philippic*, of course, was never delivered, but was written so as to represent Cicero as actually delivering the oration with the senate and Anthony before him.

this particular oration, nor yet to his speeches in general, but, as we might expect from a man of his temperament, is characteristic of all his writings. It is by no means difficult to understand (if our thesis is correct) why *at* should be used most frequently in Cicero (more than eleven hundred times), Ovid (more than four hundred times), Plautus (almost three hundred and fifty times), and Seneca Minor (almost three hundred and fifty times). Even in Virgil (almost two hundred times), the dramatic force of *at*, although often disregarded by editors and commentators, contributes materially to his artistic effectiveness, especially in narrative. In a word, *at* originally an interjection never loses a certain exclamatory force<sup>1</sup> by means of which the speaker or writer can give expression to the *πάθος* he experiences.

## AMHERST COLLEGE

<sup>1</sup> It is significant that *ἀρά* should be used as a gloss for *at*, since *ἀρα* or *ἄρ* (*ἀρά* < *ἄρ* + *ἄρ*) has a force that we have seen *at* possesses in *Philipp.* ii, a force that it never seems to lose in any Latin. According to Liddell and Scott, *ἀρα* is used to indicate immediate transition, "straightway," "at once," "suddenly"; to express surprise or call attention to something startling; to express pain or sorrow, the discovery or correction of an error; to express the anxiety of the questioner; to heighten the expression of feeling in exclamations; to comment, with irony or wonder, on something stated. This emotional force of *ἀρα* the derivative *ἀρά* retains. But the commentators, as in the case of Lat. *at*, all too frequently forget this. Even our lexicons are inadequate in this respect. See *ἀρά* in *Liddell and Scott's Lexicon* (Oxford: Stuart Jones, 1926).

## AN INTERPRETATION OF CATULLUS XXXVI

By H. COMFORT

**E**DITORIAL treatment of Carmen xxxvi of Catullus, though varied, has as yet produced no really satisfactory explanation of the circumstances that gave rise to it. Feeling that the inconsistencies and disagreements of editors justify another attempt to interpret the poem, I believe that the commentary of Westphal will furnish a starting-point for this interpretation, which will include a possible connection between Carmina xxxvi and viii.

Ellis (2d ed., 1889) says:

Lesbia had made a vow that if Catullus was reconciled to her, and that in pledge of his sincerity ceased to attack her in scurrilous verses, she would burn the choicest passages the worst of poets had written. Catullus here takes up Lesbia's words "the worst of poets" which she had used in reference to himself, and applies them to Volusius, a bad poet who had written a historical work called here and in XCV, 7-10 *Annales*. Volusius shall be Lesbia's *pessimus poeta*, and we will burn his *Annales* in token of the reconciliation which we pray Venus to effect between us. The *truces iambi* were no doubt occasioned by some infidelity of Lesbia's; they may have been VIII *Miser Catulle* or XXXVII *Salax taberna*; but no hendecasyllabic poem except LVIII, which obviously refers to Lesbia's last stage, could be described by the words, even if we concede, what is doubtful, that Catullus includes in the term *iambi* hendecasyllabic poems.

Benoist (1882) merely recapitulates Ellis here, and adds a point which will be considered later.

Kroll (1923):

He has written a lampoon about her, and she has vowed, in case of a reconciliation with him, that she, with him, will burn his poetry. In so doing, she used a form (*pessimi poetae scripta*) which affords to Catullus an inversion of the vow; he pitches the poems of Volusius into the fire. The humorous tone of the poem is heightened by the detailed and solemn invocation to the goddess.

Friedrich (1908) notes the absurdity of burning Catullus' best works. His criticism is good, but his reconstruction that follows is fantastic and unsound.

First criticizing Ellis, we find that although he assumes the *truces iambi* to have been verses directed especially at Lesbia, there is nothing in the poem itself to indicate that they were slander of her. In fact, Mommsen went so far as to conjecture that they were written against Caesar. Next, Ellis assumes that Lesbia meant Catullus himself when she said "the worst of poets," and this is a very large assumption, though the one ordinarily made on the basis of comparison with xlix. 5. From this he assumes that Catullus turned the joke upon Volusius, and perhaps averted a crisis in his love affair after their reconciliation. Third, he paraphrases "we will burn" and "we pray," although there is no indication of joint action anywhere in the poem, for Lesbia is to do the burning (*daturam*) and the prayer is made in the poet's own person. The possibility of Catullus' acting in Lesbia's behalf, suggested by verses 2 and 16, will be cared for later. Last, he says that the *truces iambi* were doubtless caused by one of Lesbia's infidelities—plausible enough, but not impossible of contradiction.

Benoist refrains from any comment on the identity of *pessimus poeta*, except to say that Volusius has been selected as the sacrifice, implying perhaps that he had been originally in Lesbia's mind. His last comment, to which we shall have occasion to return, is significant: "At least he was the product of a poetical school far different from that in which Catullus held the first rank."

Kroll admits, probably because of verses 9, 10, that the vow may have been all in fun, but also supposes that they are going to commit the poetry to the flames together. He notes that the word *iambos* does not concern the verse form, but the content, and that the reference is not to any poem which has been preserved.

Others who have treated the subject in special articles are Baehrens (*Analecta Catulliana* [Jena, 1874]), Harnecker (*Philologus*, XLI [1882], 474), Arlt (program [Wohlau, 1883]), Monse (program [Waldenburg, 1884]), Harnecker (*Blätter f. d. bayerische Gymnasialwesen*, XXI [1885], 556), Teuber (*Jahrb.*, 1888, p. 777), Schröder (program [Clève, 1896]), and K. P. Schulze (*Römische Elegiker*, 1910, p. 48). It is not necessary to examine all these men's opinions in detail. They are for the most part interested in variations of the interpretation given above as Ellis'. Some are more interested in the question of

whether or not Lesbia saw the joke when she made it, others argue whether the joke mentioned was the double meaning of *electissima* or of *pessimus poeta*, and whether the *truces iambi* were the original cause of the quarrel or a stage in its development. Schröder, indeed, though drawing a wrong conclusion, says, "Profecto ne minima quidem micæ salis in tali inesset voto Lesbiæ. Prorsus aliter rem se habere necesse est." The same can be said of the commentaries.

The commentators either omit any explanation of the origin of the quarrel, or if they give one, it is unsatisfactory. It is necessary to explain why Lesbia wishes Catullus restored to her, since the normal way would be for him to seek the reconciliation. They seem to take it for granted that they quarreled with the avowed intention of making up again, and that she made a vow to cover the exact circumstances that are read into this poem. It is as though Lesbia had said, "I am very angry with Catullus now, angrier than I have ever been, but I am quite sure that we shall soon be reconciled, in spite of the fact that he has insulted me by lampooning me, and so when he is restored to me, I shall burn the choicest poems of the worst of poets in token of our reconciliation. This ambiguity in my vow will allow him to burn practically anything he chooses to, perhaps the *Annales* of Volusius, and the fact that I have used the word 'choicest' will give him leeway to interpret it as the worst specimens of the writer whom he selects for the sacrifice." And yet this is exactly the line of thought that some commentators would have her follow! But when lovers quarrel, it is an eternal farewell until the disagreement is patched up. And further, what could have been the point of Lesbia's vowing to burn the works of Catullus or any offensive part of them in token of her reconciliation with him? If, as Ellis suggests, the word was ironical and the *truces iambi* were to be burnt, it would naturally be done by the poet himself, as a self-punishment for having written them in the first place. The impossibility of translating *daturam* as either "I" or "we" has already been mentioned. If, on the other hand, the *electissima* applies to the really fine things he had written to her, the inconsistency pointed out by Friedrich becomes even more apparent.

But first, the persistent impression is that she was somehow at fault. *Restitutus essem* seems to mean that he had been passive at the beginning of the quarrel, as he was to be passive at the end of it.



Either she had sent him away or someone else had alienated him from her, but originally it was no apostasy on his part that had separated them. Again, had she been as angry as viii, xxxvii, or lviii would have made her, there would hardly have been any reconciliation, much less would she have referred to him with the indefinite term *pessimus poeta*. Thus he could not, even had there been a reconciliation after such verses, have taken a general epithet and found another to whom to apply it.

Westphal in his commentary (1867) gives a much more reasonable explanation than any other editor. He says:

How did this literary *auto da fé* happen? It is such a queer device that we must conclude that the breach which is now happily healed arose from a difference of opinion over literary and aesthetic matters. Lesbia read the poems of Volusius with pleasure, but they made no appeal to the new departures and wider tastes of Catullus.

Blümner,<sup>1</sup> following him, also feels quite sure that the *Annales* of Volusius were originally in Lesbia's mind, and that there was never any question of incinerating Catullus' poems. He is also not unwilling to admit that the cause of the quarrel may have been as Westphal suggests. This is the only reasonable explanation suggested for the alienation of Catullus and the burning of the poems by Lesbia. She was quite willing to sacrifice the principle that Volusius was worth reading provided only she could recall her lover.

But I still feel that Westphal and Blümner have treated the whole thing too seriously. They are the only editors who have made Catullus and Lesbia act in this poem as though they were human beings, it is true, but I believe that a much lighter and more comic element lies at the bottom of the entire episode.

If the *Annales* were of the sort that such literary productions usually were, they would make slight appeal to a *neoteros*. And if Catullus was as subjective in his personal relations as he is in his poems, we may be sure that Lesbia knew what he thought about Volusius. Now Lesbia was not without her wit. We may be assured of that on a priori grounds because the poet would never have become so devoted to her had she not possessed an exceptionally keen and active mind. And if in addition we may accept a lover's evidence, he tells us the same

<sup>1</sup> *Jahrbuch*, 1896, p. 485.

thing (lxxxvi. 3, 5): "Quintia has no charm and no spark of wit in her whole big body. But Lesbia. . . ." She was worthy of having the second *Passer* poem written to her; their conversation was full of the wit they both loved (viii. 6, 7); and in this very xxxvi she is said to have acted *iocose lepide*. She was also something of a tease: ii. 5, 6; li. 4-6. Bearing these things in mind, we may reconstruct the quarrel somewhat as follows, always remembering that a few facts must suffice for much speculation.

Catullus may well have been expounding the differences between his school of poetry and the old school, to the glorification of the younger generation and the disparagement of the fogies like Cicero and the Ennius whom they admired so much. Lesbia, knowing that Volusius was a particular *bête noir* of her lover, commenced to praise the annalist. The joke unquestionably worked, and perhaps included some uncomplimentary, but quite insincere, comments on Catullus' own lyrical innovations. The latter, in anger, flung out of the house, and perhaps Lesbia had a little too much pride to explain at the moment that she was merely playing a part. Then, being parted from her, when the whole incident had shrunk in perspective, Catullus realized that he had swallowed the bait in a way most unworthy of a wit—but after all the new school was his sore point. However, since turn about is fair play, it was her turn to writhe a little. Thereupon he penned the eighth poem and sent it to Lesbia. The whole tone of viii fits the hypothesis, beginning with the idea that he must no longer fritter his time where he is not wanted, but must count as lost what is gone and make the best of a sorry job. From that point the thought is expanded into an exaggerated and mock-heroic climax. One can fairly see the delight of the poet as each new idea for Lesbia's discomfiture came to his mind and was quickly committed to the page, and the anxiety in which she read this fearsome document. She, remembering that the last time she had seen him was when he was much piqued over her inability to appreciate his beloved poems and over her inordinate affection for the unspeakable Volusius, was afraid that a jest on her part had become a terrible reality, and hastily sent a note saying to come back—she would burn the horrible old *Annales*, would sacrifice them to their patrons Venus and Cupid on the most inauspicious wood to be found. Westphal translates verses 9 and 10 metrical-

ly, "Das lose Kind, es wusste wohl, daran sei nichts verloren" ("The wretch knew that she would lose nothing by it," i.e., there was no real principle at stake). The sequel is easy to reconstruct. Catullus, having gained his point, sent his copy of the *Annales* to his Lesbia with xxxvi, and she presumably burned the offending book on the spot or waited until his arrival when they cremated the cause of the quarrel together.

It might here be suggested that the meaning would be considerably helped by substituting *dicat* for *vidit* at the end of verse 9. In the Oxford edition (1904) *vicat* has already been suggested as a possibility. Thus the translation would read, "And the wretch says that she makes this vow [so Riese and Friedrich] to the gods with the greatest of pleasure." This reading can be further modified if the reading of O (Merrill, 1923) be accepted, *haec* for *hoc* in verse 9, construed with *pessima*, "And these are the terrible things which my dear says she is vowing to the gods, etc."

On this interpretation of viii I have used E. P. Morris, "An Interpretation of Catullus VIII."<sup>1</sup> Professor Morris shows clearly that the poet was following a recognized *genre* in writing, for his amusement and Lesbia's, a poem which threatened a hopeless and deserted future in store for her, since Catullus had received his *cong  *. It is unnecessary here to give a brief of this excellent paper, which shows a playful side to Catullus' nature which is often suspected but nowhere so well exemplified as in this poem interpreted as Professor Morris treats it. The proof is as sound as a proof based on conjecture, analogy, and the human equation can be.

The division of xxxvi runs as follows: 1-2, "Filthy Volusius, discharge Lesbia's vow"; 3-10, the circumstances of the vow; 11-15, an apostrophe to Venus in the elevated hymn style, culminating in "Dyrrachium, the road-house of the Adriatic"; 16-17, the serious part of the address, "Pray consider the vow paid, if it does not appear unseemly"; 18-20, the previous frame of mind has been assumed with a little effort, and the poet reverts to his boisterous mood, "But until I see her [*interea*], get into the fire, you filthy Volusius." The anticlimax in verse 15 is pointed out by Friedrich ("Denn wie das Gel  bde *iocose lepide* geleistet worden ist, so wird es auch *iocose lepide* von C. voll-

<sup>1</sup> In *Transactions of the Connecticut Academy of Arts and Sciences*, Vol. XV (1909).

zogen: er nennet die merkwürdigsten Kultstätten, besonders schön ist *Durrachium Hadriae tabernam*") and by Lafaye ("Mais ici il faut qu'il s'amuse: l'énumération commence par des vers d'une poésie charmante, où se pressent des noms harmonieux et des gracieuses images; elle se termine brusquement par un mot familier, que lui suggère peut-être une description de Plaute. ... Catulle complète la parodie d'une sacrifice par la parodie d'une invocation."<sup>1</sup> The allusion to Plautus is found in *Men.* 258).

A point in the reading on which scholars are divided has already been mentioned, *haec* for *hoc* in verse 9. It is merely worth saying in passing that it makes no difference to the sense of the poem whether one be read or the other. It should be observed again that the suggested connection between xxxvi and viii is attractive and entirely possible, but that, on the other hand, it is not essential to the interpretation of the former poem, and must in no way be insisted upon.

#### ROME

<sup>1</sup> *Catulle et ses Modèles*, 1894, p. 123.

## GREEK AND ROMAN LAW IN THE *TRINUMMUS* OF PLAUTUS<sup>1</sup>

BY WILLIAM M. GREEN

IT IS generally understood that the plays of Plautus, based on Greek models and avowedly translations of Greek comedies, have been so adapted for presentation to a Roman audience that they present a mixture of Greek and Roman elements. But the extent to which materials of each kind are used has been the subject of considerable discussion and rather wide disagreement. Especially is this true as to the legal questions involved in the situations presented.

Plautus is cited with equal confidence as an authority on both Greek and Roman law. For example, under *dos* in the Daremberg-Saglio *Dictionnaire*, E. Caillemer, speaking of the Greek dowry, says, "If the dowry is not essential to the validity of the marriage, it is almost indispensable for its proof, and it is almost solely by the bringing of a dowry that a legitimate union is distinguished from an illicit union." The only reference given is to *Trinummus* 689-91, where Lesbonicus refuses to give his sister to Lysiteles without a dowry, lest the common report seize upon this as proof that she was given as a mere concubine. Just below, under the same title in the *Dictionnaire*, F. Baudry says of the dowry at Rome, "A woman who married without a dowry was regarded more as a concubine than as a wife"—the sole support of this statement being the same passage from Plautus.

This free and uncritical use of Plautus to illustrate both Greek and Roman customs is very common. His twenty extant plays seem to offer a rich source for illustrations of ancient life, but before this material can be used with confidence it is evidently necessary to distinguish between the Greek and the Roman elements.

Discussion as to the law in Plautus has gone on for nearly a century, receiving a special impetus from the appearance in 1890 of Costa's comprehensive treatise, *Il diritto privato Romano nelle Comedie*

<sup>1</sup> In preparing this paper the writer has had the benefit of valuable suggestions from Professor Max Radin. If any error appears, it should be ascribed to the writer, not to Professor Radin.

di Plauto. Costa's belief that Plautus portrays only genuine Roman law, though vigorously assailed, was supported in 1900 by Pernard, *Le droit Romain et le droit Grec dans le Théâtre de Plaute et de Terence*. It was left for Fredershausen, *De iure Plautino et Terentiano*, to insist that nothing be classified as distinctively Greek or Roman until it can be shown to be in accord with one system of law and in conflict with the other.<sup>1</sup>

It is often impossible to make clear distinctions between Greek and Roman elements, and perhaps for this reason, perhaps because of the wide disagreement among the special students of law in Plautus, the editors of his plays seldom touch upon such difficulties.

The *Trinummus* presents an interesting series of these problems. The play is avowedly a translation of the *Θησαυρός* of Philemon (see vss. 18-19), the scene is in Athens (1103), and the characters are all Greek, as in all the *fabulae palliatae*. Charmides has gone abroad, leaving his property, his daughter, and his spendthrift son in charge of his friend Callicles. In the house is a treasure, whose existence Callicles has pledged to keep secret. When the son, Lesbonicus, in his dissipation of all the wealth at his disposal, advertised the place for sale, Callicles bought it in to save the treasure. At this point Lysiteles, a friend of Lesbonicus, decides that he wishes to marry the daughter, even without a dowry, and protests when Lesbonicus offers to give with his sister a field which is the sole remnant of the estate. In this crisis Callicles feels it his duty to provide a proper dowry from the treasure now in his possession, to accomplish which, without exciting suspicion, he hires a sycophant to impersonate a messenger from foreign parts, bearing money from Charmides. The latter, however,

<sup>1</sup> The three principal authorities referred to in this paragraph are: E. Costa, *Il diritto privato Romano nelle Comedie di Plauto* (Torino: Fratelli Bocca, 1890); L. Pernard, *Le droit Romain et le droit Grec dans le Théâtre de Plaute et de Terence* (Lyon: A. Rey, 1900); O. Fredershausen, *De iure Plautino et Terentiano* (Göttingen: Goldschmidt & Hubert, 1906); continued as "Weitere Studien über das Recht bei Plautus und Terenz," *Hermes*, XLVII (1912), 199-249. Pernard gives a Bibliography of seventy-three titles, which was supplemented with fifteen more by P. Huvelin in his review of Pernard's work in *Nouv. rev. hist.*, XXIV (1900), 579-86. Of later works on the subject only that of J. Partsch, "Römisches und griechisches Recht in Plautus Persa," *Hermes*, XLV (1910), 595-614, and M. Radin, "Greek Law in Roman Comedy," *Class. Phil.*, V (1910), 365-7, are known to the writer. For general discussions of the work of Plautus and his indebtedness to Greek originals, cf. F. Leo, *Plautinische Forschungen*<sup>2</sup> (Berlin: Weidmann, 1912), pp. 87-187. Professor Radin's title is the only one in English I have discovered on this subject.

arrives in time to spoil the plan, and, upon learning the true situation, provides a dowry, and marries off his spendthrift son as well to the daughter of Callicles.

It might be presumed that in a translation, at least the essentials of the plot would be drawn from the original, and hence that the principal legal problems should be explained by Greek law, rather than by Roman law. That this is the case in the *Trinummus* will appear in the course of this study. Obvious questions of law arise in connection (i) with the mandate by which the estate and the young people were intrusted to Callicles, (ii) with the son's disposition of the estate, and (iii) with the various marriage arrangements.

#### I. THE MANDATE TO CALLICLES

The mandate to Callicles evidently gave him no legal rights whatsoever. Not only was he unable to regulate the conduct of Lesbonicus, or prevent the sale of the estate, but after it was sold to himself he felt compelled at all costs to guard the secret of the treasure lest the son demand it by law as part of his paternal estate (1146).

If we are to take according to their meaning in Roman law Plautus' use of the words *mandare* and *mandatum* (117, 128, 136-38, 158, 956), Callicles was *procurator omnium bonorum*, and he should have exercised all the powers of the *paterfamilias*, in so far as he was instructed to do so. It follows, then, that we are not dealing with a mandate in Roman law, any more than we are dealing with a case of guardianship when we find the same commission referred to as a *tutela* (139).<sup>1</sup>

We are still at loss when we attempt to find any Greek law to apply to the case; for while Beauchet cites instances of mandate in Athens, their legal status is admittedly obscure; and Lipsius declares that "of legal provisions regarding mandate the silence of our sources makes it impossible to speak."<sup>2</sup>

Evidently this "mandate" was an extra-legal matter. Callicles was instructed to look after affairs, but found himself without any

<sup>1</sup> *Dig.*, iii. 3. 63; W. W. Buckland, *Textbook of Roman Law* (Cambridge: University Press, 1921), p. 512; O. Karlowa, *Römische Rechtsgeschichte* (Leipzig: von Veit, 1901), II, 665. Karlowa maintains that this was the oldest form of mandate.

<sup>2</sup> L. Beauchet, *Histoire du droit privé de la République Athénienne* (Paris: Chevalier-Maresq, 1897), IV, 371-77; J. H. Lipsius, *Das attische Recht und Rechtsverfahren* (Leipzig: O. R. Reisland, 1905), p. 772.



legal powers to act as agent or administrator, though his presence might carry some moral weight (166-72), and the young man might, on occasion, seek Callicles' advice (583-84). It may be that this situation conforms better to the absence of recognized powers of agency in Attic law than to the Roman conditions in which mandate was clearly defined, long before Cicero's time, at least.<sup>1</sup>

## II. LESBONICUS' SALE OF THE ESTATE

The unusual, if not inexplicable, questions of law involved in the son's high-handed squandering of his father's estate have long ago been pointed out. It is fifty years since Bechmann declared that a prize might well be offered to the one who succeeds in explaining the subject matter of the *Trinummus* according to Roman law. And Friedershausen, the latest to comment on the point, adds that the sale of the estate "agrees as little with Attic as with Roman law." For Friedershausen, however, the situation is anomalous principally because the son's transactions conflict with the mandate given to Callicles, which, as we have seen, is no mandate at all.<sup>2</sup>

A similar situation exists in the *Mostellaria*, where a son squanders an estate in the absence of his father. Both cases have been cited to show that in early Rome the son was the regular agent of the father, with full power in case of his absence. But aside from the plays of Plautus, there seems to be no support for this conclusion. The other passages cited are cases where a son (or slave) acts on instruction from the *paterfamilias*, and hence had the ordinary power of a mandatary. Of course a son, like any other *negotiorum gestor*, might without instructions carry out any business necessary to the interests of an absent owner, subject to his later ratification. That he had any wider powers seems unproved.<sup>3</sup>

As to *negotiorum gestio* in Attic law, we know even less than of mandate. The development of Greek law as to the son's relation to the paternal estate is in many respects similar to the Roman. In

<sup>1</sup> Cic. *Pro Rosc. Am.* 111, in which the legal recognition of mandate is referred to the *maiores*.

<sup>2</sup> A. Bechmann, *Geschichte des Kaufs im römischen Recht* (Erlangen: Andreas Deichert, 1876), p. 507; Friedershausen, "Weitere Studien," *Hermes*, XLVII (1912), 226.

<sup>3</sup> M. Voigt, *Die XII Tafeln* (Leipzig: A. G. Liebeskind, 1883), pp. 296-99; P. Huvelin in Daremberg-Saglio, IV, 47; Buckland, *op. cit.*, pp. 533-34; Karlowa, *op. cit.*, II, 673-74.

both the land was originally a matter of family ownership, inalienable, and, on the death of the father, sons took over the estate as his co-proprietors rather than successors. Survivals of this co-proprietorship exist, in Athens in the informal entry of sons on the estate, and in Rome in the designation of sons as *sui heredes*, heirs of what was their own. But in neither country is there any evidence that a son, in the absence of his father, could dispose of the estate at will.<sup>1</sup>

If we could suppose that Lesbonicus had entered on his father's estate as heir, his conduct in the play would be fully explained. So Pernard, from the standpoint of Roman law, would explain the situation—"There has been no news of Charmides for a long time, one has the right to consider him as dead." But in the play all seem to regard his return as still possible, if not probable (106, 137, 156, 180, 423, 588, 617 f., 744, 773), and in Roman law it would have been impossible for the heir to enter on his estate until it was known that the father was dead. This was certainly the rule of the later law applying to those captured by the enemy, and, in general, those whose fate was unknown—a rule quite in accord with the spirit of the earlier law, which was strict in protecting the legal interests of those absent for necessary or reasonable causes.<sup>2</sup>

Again we are unable to say what were the pertinent provisions of Attic law. Although the entry of sons and their male descendants was exempted from the formalities required of other heirs, inheritance was, of course, conditioned on the death of the father; and we know of no provisions in case of his disappearance. But Greek custom seems to protect the father less than does the Roman. The *δίκη παραβολας* gave sons a wide opportunity to remove their fathers from the management of their estates, on the ground of decrepitude as well as insanity. The Roman curatorship of *furiosi* and *prodigi*, while apparently cited by Cicero as parallel (perhaps the nearest parallel), was strictly limited to the insane (of any age), and those squandering the estate which they had themselves inherited. This might suggest that Athenian law

<sup>1</sup> Beauchet, *op. cit.*, IV, 377-79; III, 58-65, 423; Lipsius, *op. cit.*, pp. 540, 570; Gaius *Inst.* ii. 157; *Inst. Just.* ii. 19. 2; Karlowa, *op. cit.*, II, 880; Buckland, *op. cit.*, pp. 303, 363-64. The community of interests between father and son is well expressed in *Trinummus* 328: "quod tuomst meumst, omne meumst autem tuom."

<sup>2</sup> Pernard, *op. cit.*, p. 104; *Cod. Just.* viii. 51. 4; *Dig.* iv. 6. 1; vii. 1. 56; cf. Daremberg-Saglio and Pauly-Wissowa under *absens*.

would be less careful than the Roman to protect the interests of an absent father.<sup>1</sup>

If Lesbonicus had the right to sell the estate, Callicles' notion was well grounded that he might also claim the treasure *lege populi* in case he learned of its existence (1145 f.; cf. 748-55). For its appropriation by Callicles would obviously be fraudulent, a *furtum* in Roman law. There is nothing to show that the situation would have been different at Athens. But in case the property had been sold to an outsider, Callicles seems to think that the latter would have acquired the treasure also, or that its ownership would at least have been a matter of question (178). In Roman law the owner could have reclaimed it by *condictio indebiti*. Callicles' question may be taken either to show the absence of such an action in Greek law, or to show ignorance or uncertainty as to what the law really was. Few laymen today would know the provisions of their own law as to the case.<sup>2</sup>

It is difficult to see how the play could in any sense be a translation or adaptation of a Greek original, unless the central theme of the son's dissipation of the absent father's estate were taken from that original. The same is also true of the *Mostellaria*. In so far as any law is here illustrated, it is likely to be Greek.

It may well be, however, that the audience of an ancient comedy would find a new source of amusement if they could see us today taking Lesbonicus' conduct seriously as illustrating either Greek or Roman law. That spendthrift was well on his uninterrupted career of squandering the patrimony before his father left (108-9). During the latter's absence he simply continues in his career, quite untroubled as to the legality of his acts. It is entirely in accord with the spirit of comedy that Callicles does not think of the legal means to prevent the sale of the house, nor Charmides, on his return, of steps toward its recovery (1080-92). The awkward inconsistency between the expected return of Charmides and his son's assumption of all his rights is part of the comedy, about which a tolerant audience should not trouble itself too much.

<sup>1</sup> Beauchet, *op. cit.*, III, 437; II, 382-98; Lipsius, *op. cit.*, pp. 355-56; Cic. *De Sen.* 22; cf. Daremberg-Saglio under *furius* and *prodigus* as to the restricted use of those terms.

<sup>2</sup> *Dig.* xiii. 1. 18, "furtum fit cum quis indebitos nummos sciens acceperit"; *Dig.* xii. 6. 26. 4-6; Buckland, *op. cit.*, p. 537; J. B. Moyle, *Contract of Sale in the Civil Law* (Oxford: Clarendon Press, 1892), p. 54.

## III. THE MARRIAGE ARRANGEMENTS

It is perhaps in the matter of marriage arrangements that Plautus has most frequently been uncritically cited as illustrating either Greek or Roman customs. Of such arrangements the *Trinummus* presents us a number of interesting phases.

## a) THE BROTHER'S BETROTHAL OF HIS SISTER

We may first notice that in Greek law the brother's betrothal of his sister and arrangement of her dowry are quite in accord with his (assumed) succession to the rights of his father. On the death of a father, or, perhaps in his absence, a son becomes *κύριος* of his sister, and as such carries through a betrothal and all marriage arrangements. But the case does not conform so well to Roman law, for only after the father had been absent for three years could the children marry without his consent. If the father were assumed to be dead, and the brother had become agnatic *tutor* he could neither make nor break a betrothal *nisi forte omnia ista ex voluntate puellae facta sint*, whereas in the *Trinummus* it is clear that Lesbonicus never consults his sister's wishes.<sup>1</sup>

## b) ABSENCE OF BRIDE'S CONSENT

This leads to the observation that all marriage arrangements, for the daughters both of Charmides and of Callicles, are made without the consent or consultation of the bride. This conforms exactly to Greek law and custom, in which it was her *κύριος* who concluded the agreement with the future husband. Since the girl had been carefully isolated and had no acquaintance with possible suitors, she would have no preferences to consult.<sup>2</sup>

Conditions were not the same in Rome. The consent of the bride was necessary, both for betrothal and for marriage; though in the former case her silence was taken as consent, and she could refuse only in case the chosen fiancé was of unworthy character. Most mar-

<sup>1</sup> Meier, Schömann, Lipsius, *Der attische Process* (Berlin: S. Calvary, 1883), p. 505; Beauchet, *op. cit.*, II, 335-37; A. H. G. P. van den Es, *De iura familiarum apud Athenienses* (Leyden: E. J. Brill, 1864), pp. 6-7; *Dig.* xxiii. 1. 6. The principal function of the *tutor* seems to have been to constitute the dowry (Ulp. xl. 20-22); Lesbonicus sends announcement and congratulations only after arrangements are made (577-79).

<sup>2</sup> Lipsius, *op. cit.*, p. 469; H. Blumner, *Home Life of the Ancient Greeks* (trans. Alice Zimmern; London: Cassell & Co., 1893), p. 135; W. S. Ferguson, *Hellenistic Athens* (London: Macmillan, 1911), p. 85.

riages, especially where the bride was young, were doubtless pretty well arranged for her by her parents. Yet the requirement, frequently referred to, that she must consent to the marriage, must mean some recognition of her rights, a recognition which the general status of women in Rome would lead us to expect. Girls, instead of being isolated, went to school with the boys. Legend would have it that in the time of the earliest republic one Verginia, already betrothed and of marriageable age, was attending a school near the Forum when she attracted the attention of Appius Claudius. The respect paid to the Roman *materfamilias* would suggest that a woman's consent be required before she was given in marriage. That political marriages of which we are informed often appear to disregard the woman's rights no more proves the normal practice in Rome than do similar marriages among royal families in modern times. But in the Oriental subjection of the Attic woman, her consent to marriage arrangements was never required, and it is this we see pictured in the plays of Plautus.<sup>1</sup>

c) ARRANGEMENT OF MARRIAGES FOR THE SONS

As to the marriages of the young men, Lysiteles and Lesbonicus, both fathers and sons seem concerned. Lysiteles makes his own decision, then asks his father's approval. When this is granted (reluctantly, since he is proposing to take a dowerless bride), he asks as a further favor that the father make the arrangements (373-91). But the arrangements made by Philto seem still to require his son's confirmation (581), and when the difficulty arises on the subject of the dowry, Lysiteles takes the whole matter in hand, and Philto does not appear on the stage again. Lesbonicus' match, however, seems arranged for him quite arbitrarily, somewhat as a corrective for his dissolute habits. The promptness of his compliance is a fitting close for the comedy (1183-84).

At first blush all this seems in better accord with Roman than with Greek practice. In Rome the son *in potestate* must have the father's consent, then, by agreement, the *sponsalia* might be arranged by either of them, or by intermediaries. Whereas in Greece, all our law texts assure us, it was the future husband himself that reached the

<sup>1</sup> *Dig.* xxiii. 1. 7. 1 and 11-12; xxiii. 2. 2; L. Friedlander, *Roman Life and Manners* (trans. L. A. Magnus; London: George Routledge & Sons, 1909), I, 230; Dionys. Hal. xi. 28. 3; Livy iii. 44. 6.

agreement of the ἐγγύησις with the κύριος of the bride. Since the son must be of age before marriage, he was legally independent.<sup>1</sup>

But other sources show us that the picture of a father marrying off a son may be Greek as well as Roman. Among the newly discovered fragments of Menander, at the end of the *Perikeiromene* (905-7) is a scene very similar to the closing scene of the *Trinummus*. After the main thread of the plot is closed by the father's arrangement for his daughter's marriage and dowry, he suddenly announces his arrangement of another marriage, that of his son to the daughter of Philinus, hitherto unmentioned. The son is quite startled. So in the *Georgos* (7-10) and the *Samia* (122-23) sons are informed of arrangements for their own weddings, in regard to which they have not been consulted. None of these passages precludes the participation of the son in an ἐγγύησις, nor is it precluded in the *Trinummus*, but is rather to be inferred from verse 581. But in representing a father as arranging the marriage for a son, we must conclude that Plautus' scene is a typical reproduction of the Greek comedy.<sup>2</sup>

#### d) IMPORTANCE OF THE DOWRY

It is in accordance with both Greek and Roman custom that a dowry be given with the bride, a step quite necessary to protect the wife in case of her divorce. In the *Trinummus* neither the father nor the brother of the girl will consent to her marriage without a dowry. So essential did the dowry seem in the ancient world that writers are willing to apply both to Greece and to Rome the statement of Lesbonicus quoted above (p. 183), which implies that a marriage without a dowry would popularly be considered mere concubinage. But it seems easier to find Greek than Roman parallels to this notion. In two of the orations of Isaeus, the absence of a dowry in one case, its presence in the other, is cited as an important proof as to the legitimacy of a marriage. So in Dio Chrysostom a free Athenian defends his status by declaring that his mother was a citizen, born of citizens, bringing to her marriage a considerable dowry. So important was the dowry

<sup>1</sup> Dig. xxiii. 1. 18; Beauchet, *op. cit.*, I, 136; E. Hruza, *Beiträge zur Geschichte des griechischen und römischen Familienrechts* (Erlangen und Leipzig: A. Deichert, 1892), I, 50. Beauchet and Hruza object specifically to any suggestion that the Greek father had a part in the betrothal of his son.

<sup>2</sup> See Fredershausen in *Hermes*, XLVII (1912), 229.

that the state would provide it at public expense for the daughters of needy but deserving citizens. Similar allusions to the Roman dowry do not appear to be forthcoming.<sup>1</sup>

It is, of course, admitted that there are in Plautus many references to things Roman which are inconsistent with the Athenian setting. As observed by Costa, the officials are Roman. A *dictator* (695), *iurator* (872), *aediles* (990), and *portitores* (794, 809, 1107) are mentioned in the *Trinummus*, although Fredershausen has pointed out that either of the latter two may be translations from the Greek. The forms used in the *sponsalia* (497-502, 571-73, 1157-62) are quite Roman. It is Roman clients who are with their patron at a public banquet (470). It was the duty of a Roman rather than a Greek youth to aid his friends in the Forum (651). So also public offices generally were attained in Rome by a canvass before election (1033); not so in Athens.<sup>2</sup>

But all of these references which we can classify as Roman are incidental remarks of the various speakers, not imbedded as an integral part of the story. The principal situations of the plot are everywhere in accord with Greek law, or to be explained by the license allowed a writer of comedy, while they frequently conflict with Roman law. While Fredershausen, even at the close of his careful and comprehensive study, avoids generalizations, insisting that each passage or situation is a separate problem, still his work clearly points in the same direction as does this study of the *Trinummus*.

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<sup>1</sup> *Isaeus Estate of Pyrrhus 8 et saepe; Of Ciron 8-9; Dio Chr. xv. 4; Plutarch Aristides 27. 1; Nepos Arist. 3. 3; but cf. Buckland, op. cit., p. 107.*

<sup>2</sup> *Costa, op. cit., pp. 23-29; Fredershausen, De iure Plaut., pp. 43, 52, 57, 62-63, 67.* Other plays doubtless yield passages of more significance in Roman law than does the *Trinummus*. Cf. the judgment of Plautus by P. F. Girard, *Manuel élémentaire de droit Romain*<sup>4</sup> (Paris: Arthur Rousseau, 1906), p. 46, n. 3, and his later references to Plautus in that work.



## NOTES AND DISCUSSIONS

### THE PEDIGREE OF JOSEPHUS

Josephus recites his pedigree in the first chapter of his autobiography for the purpose of silencing detractors. Whether he succeeded in his own day, we do not know. He did not silence modern detractors, some of whom find this pedigree a tissue of impossibilities and see in it another example of his mendacity and ignorance.<sup>1</sup>

If we follow the ordinary acceptation of the words he uses, he declares he is of royal blood "on his mother's side": *ὑπάρχω δὲ καὶ τοῦ βασιλικοῦ γένους ἀπὸ τῆς μητρός*.<sup>2</sup> The stemma gives the following names: Simon, Matthias (I), Matthias (II), Joseph, Matthias (III), and Joseph (II) who is our Josephus. His mother is nowhere mentioned. The royal connection is traced through the fact that Matthias (I) married the daughter of Jonathan the Maccabee.<sup>3</sup>

Hoelscher, his latest biographer, in his article in the Pauly-Wissowa-Kroll *Realenz.*, notices the discrepancy, though few others have mentioned it.<sup>4</sup> Hoelscher does not like Josephus, and intends that the error shall be considered discreditable. But Josephus, who is speaking out of vainglory, would not have sought out a maternal connection with kings when he had a paternal one.

The difficulty lies in the words *ἀπὸ τῆς μητρός*. Josephus, as a matter of fact, specifically indicates in the first chapter what he understands this phrase to mean. If he had not used it but had merely given his stemma,

<sup>1</sup> Hoelscher, *s.v.* "Josephus," in Pauly-Wissowa-Kroll, *Realenz.*, IX, 1935; Schürer, *Gesch. J. V.*, I, 77.

<sup>2</sup> *Vita* I. 2.

<sup>3</sup> *Ἰωάνθου ἀρχιερέως τοῦ πρώτου ἐκ τῶν Ἀσαμωναίου παίδων γένους ἀρχιερευσαντος, τοῦ ἀδελφοῦ Σίμωνος τὰρχιερέως.*

The length and the detail of the description are important because they indicate how definitely Josephus had identified his ancestor. It may be worth stating that Jonathan is called the Maccabee in deference to common usage. Actually, *Makkabi* was the Aramaic cognomen of Judah alone (I Macc. 2:4). Jonathan's cognomen was *Apphus* (I Macc. 2:5).

<sup>4</sup> *Loc. cit.*: "Wie Josephus freilich auf Grund dieses Stammbaums behaupten kann seine Mutter [*sic*] sei eine *εὐγένη* der Hasmonäer, verstehe ich nicht." The statement that Josephus was of royal descent "on his mother's side" appears almost everywhere. Cf. H. St. John Thackeray, *Josephus* (Loeb Class. Lib., 1926), I, vii; S. Krauss, in *Jew. Encyc.*, VII, 274; *Encyc. Britt.* (11th ed.), XV, 616; Niese, in *Hastings' Encyc. of Religion and Ethics*, VII, 569.

we should have described the lineage by saying that he was of Hasmonean descent "on the female side," "on the distaff side." Can ἀπὸ τῆς μητρός mean that? I have been able to find no instance of it. Μητήρ, to be sure, may be "grandmother" as well as "mother." At any rate, μητέρες is used for both "mother" and "grandmother,"<sup>1</sup> but that is not quite the same thing as "female ancestress." In Josephus' native Aramaic, the word for "mother" could certainly be so used, as in the case of the corresponding Hebrew word.<sup>2</sup> He may therefore have merely translated a Semitic expression.

On the other hand, it is not clear that there was any other way of saying in Greek what Josephus evidently wished to say. Yet there must surely have been occasion to use this expression. It was an important matter to be able to trace descent, and in the orators, descent through a woman is not infrequently the basis of a claim. In spite of this fact, none of the many stemmata, even those of Isaeus, offers us any assistance.

We may conclude that whether it is good Greek or not, Josephus is declaring that he is a kinsman of the Hasmoneans through a female ancestress, his great grandmother, to wit, who is the μητήρ in question.

But there are more serious difficulties with his pedigree. He begins by telling us that he is transcribing it exactly as he finds it in the public records.<sup>3</sup> Records of priestly families were carefully kept at Jerusalem. Josephus himself tells us so in a wholly different connection, and the older tradition, as given in the Bible, and the almost contemporary statements in the Talmud confirm it.<sup>4</sup> But if it is a fact that the public records contained what he reports, their accuracy was very questionable.

<sup>1</sup> Plutarch *Agis* 9. An instance much more clearly resembling that of the text is Pindar *Olympians* vii. 23-24: ματρὸν Ἀστυμηδείας. Diagoras was an Amyntorid not through his mother, but through the fact that he was descended from Astymedia, daughter of Amyntor. I owe this reference to the kindness of Professor Paul Shorey.

<sup>2</sup> The word מִנְּיָה in Hebrew is used for "grandmother" (I Kings 15:10) and for "tribal ancestress" (Gen. 3:20; Ezek. 16:3). Similarly, the Aramaic מִנְּיָה is used for "grandmother" as well as "mother" (b. Meg. 27b).

<sup>3</sup> Vita i. 6: ἐν ταῖς δημοσίαις δέλοις.

<sup>4</sup> Contra Ap. i. 31-36; I Macc. 21; Bar. 1:1; Talmud; b. Kidd. 76b; Dalman, *Worte Jesu*, pp. 262 ff. We cannot tell what weight is to be assigned to the tradition that all existing genealogies were destroyed by Herod in order to hide his own lack of the εὐγένεια of which Josephus boasts. The story is told by Eusebius (*Hist. ecc.* i. 7. 15), who quotes it from Julius Africanus. Cf. also Georg. Syn. *Chron.*, p. 595. If this is true, the records were restored after Herod's death by the priesthood and would be of dubious authenticity. There are references in the Talmud to a "concealment" or "disappearance" of the genealogies, which may imply the same tradition (b. Pesah. 62b; cf. Michael Sachs, *Beitraege zur Sprach- und Altertumsforschung*, II, 157). The importance of εὐγένεια and the consequent insistence on records is shown by the many allusions to it in the Talmud where the Greek word appears as a technical term, אַבְנֵי יָא.

His great-great-grandfather, Simon, was, he says, a contemporary of Hyrcanus I (John Hyrcanus). But Simon's son, Matthias (I), married the daughter of Jonathan, the predecessor of Simon the Maccabee, Hyrcanus' father. Matthias (I) therefore married a woman belonging to his father's generation. That is unusual, though not impossible.<sup>1</sup> But Josephus proceeds to quote the precise birth years of his ancestors, and if we accept them, Matthias (II) was sixty-five at the birth of his son Joseph, and the latter was seventy-six at the birth of his son Matthias (III). A period of one hundred and forty-one years consequently covered only two generations! That is piling up improbabilities until the result is a practical impossibility.

It has often been suggested that the Jonathan mentioned was not the Maccabee, but Alexander Jannai, John Hyrcanus' son. "Jannai" is an abbreviation for "Jonathan," and Alexander calls himself "Jonathan" on his Hebrew coins.<sup>2</sup> In that case, Josephus is supposed to have found the name correctly enough in the records and to have confused the two Jonathans. Hoelscher takes occasion to sneer at Josephus' ignorance in doing so.<sup>3</sup>

But that does not cure the error. If Jonathan is really Jannai, the two following dates are wrong.<sup>4</sup> Matthias (II) would then be Jannai's grandson. His birth is given as the first year of Hyrcanus. If this is Hyrcanus I, Jannai's father, Jannai had a marriageable daughter when his father ascended the throne, was himself nearly eighty when he succeeded, and lived to be over one hundred. We know that these statements are not true.<sup>5</sup> If the Hyrcanus was Hyrcanus II, Jannai's son, Matthias (II) was born a few years after his son Joseph, whose birth year is given as the ninth year of Alexandra, the wife of Jannai and his successor. Nor can we correct this by taking the "first year of Hyrcanus" to be the first year of his high-priesthood. In that case, Matthias (II) was nine years old when his son Joseph was born, which is almost as improbable as his being minus nine.

<sup>1</sup> Matthias was one of nine children, and may have been one of the younger ones. Jonathan was younger than his brother Simon, though he preceded him as high priest (I Macc. 2:5-6).

<sup>2</sup> Madden, *Coins of the Jews*, pp. 83-90; Reinach, *Monnaies Juives*, p. 24; *Jew. Encyc.*, I, 352. Jannai used his Greek name on some of his coins and his Hebrew name on others. In the Talmud he is always "Jannai hammelekh," never "Jonathan" (b. B.B. 22; Ber. 44; Kidd. 60). Nor does Josephus ever call him "Jonathan," but regularly "Alexander" (*Ant.* xiii. 12; *Bell. Jud.* i. 4).

<sup>3</sup> "Ein bedenkliches Zeichen für seine historischen Kenntnisse" (in Pauly-Wissowa-Kroll, *loc. cit.*).

<sup>4</sup> The chronology varies a little, but not sufficiently to make a substantial difference in the dates. Mr. Thackeray (*op. cit.*) puts the end of Jannai's reign at 78 B.C. So does Wilcken (Pauly-Wissowa, *op. cit.*, I, 1439). Schürer places it at 76 B.C. (*op. cit.*, I, 284).

<sup>5</sup> As a matter of fact, Jannai was born after his father's accession to the throne. The date is generally given as 129 B.C. He was one of the younger sons of John. The whole history of his reign indicates that he was a relatively young man at his accession.

There are consequently two serious mistakes here, one of Josephus, who added to the name Jonathan, which he found in the records, a detailed description and a completely erroneous one. The second error is that of the scribe or scribes who wrote "Alexandra" when their text read something quite different, so different that we can only guess what the original was. The most plausible guess would be "Herod."<sup>1</sup>

To have recourse to two such extreme hypotheses is a counsel of despair. Nor is it necessary. A suggestion that puts the entire burden on the scribe, but a far lighter one, is the following. If we read Ἀλεξάνδρου instead of Ἀλεξάνδρας, we should have the date of Joseph's (I) birth as 91 B.C., when his father Matthias (II) was forty-three instead of sixty-five. The correction is surely as slight a one as could well be proposed. We must then assume a lacuna of one or more lines after the word ἀρχῆς. That would involve a loss of one, or possibly two, names in the pedigree. There is no difficulty in understanding how such a lacuna might have arisen, if, as is very likely, two Josephs or two Simons appeared in succession in the list.

That seems a somewhat simpler method of dealing with the *Unmöglichkeit* of the text than the assumption of gross ignorance on Josephus' part, coupled with reckless carelessness on the part of the scribe.

It is quite true that Josephus' claim to royal blood is thereby rendered a little vague. Jonathan, the high priest, was never king, while Jannai was. But it is no vaguer than he himself thought, for he specifically describes his ancestor as Jonathan the high priest. At all events, he belonged to the stock that had for several generations been royal.<sup>2</sup> Besides, Jonathan as high priest was actual ruler of his people. Herod's son Archelaus is called "king" in this very pedigree, although he was merely ethnarch.<sup>3</sup>

There is a final point of slight moment. Matthias (I) is called ὁ Ἡφαίου,<sup>4</sup> generally translated "son of Ephaeus." But Matthias' father was Simon, nicknamed Ψελλός, "The Stammerer." Are we to suppose that he was also called Ἡφαῖος, or whatever other name might lie behind this form? It seems a curious way of indicating this third designation of Simon. It is more likely that ὁ Ἡφαίου is not a genitive at all, but a Greek transliteration of the original Aramaic form, ending in ܦܢܐ, and that the surname was therefore Matthias' and not his father's.

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<sup>1</sup> Schürer suggests "Herod" (*op. cit.*, I, 77, n. 4).

<sup>2</sup> He gives the precisely accurate statement in *Ant.* xvi. 187: ἡμεῖς δὲ γένους ὄντες ἀγχοῦ τῶν ἐξ Ἀσαμωναίων βασιλέων.

<sup>3</sup> *Vita* i. 5: βασιλεύοντος Ἀρχελαίου. Cf. Josephus *Ant.* xvii. 11. 4; *Bell. Jud.* ii. 6. 3. For Jonathan's formal sovereignty, cf. I Macc. 10:1-14; Josephus *Ant.* xiii. 2. 1.

<sup>4</sup> The MSS read Ἡφίλιον, Ἡφλίον. The name in the text is a somewhat unnecessary correction of Niese's. In any case, we do not know the etymology.

### THE METRICAL ARRANGEMENT OF THE FRAGMENTS OF THE *BACCHIDES*

Those who have tried to arrange the fragments at the beginning of the *Bacchides* from Ritschl down to the present time<sup>1</sup> have, in general, made the error of ignoring to a great extent the metrical order of the lines. If they have not gone as far as bringing together in the same speech or scene lyric and iambic lines, they have failed to note Plautus' almost universal habit of following song by recitative, more often trochaic than iambic septenarii, rather than iambic senarii. Since only seven of the sixty-five song passages are followed directly by senarii (cases in most of which there is an evident reason for the exception),<sup>2</sup> this seems a fairly safe criterion to use in arranging the fragments. To be sure, some of the fragments are only part lines the meter of which it is impossible to determine with any degree of finality, but it is quite clear that there are several fragments in iambic senarii and others in lyric measures while the first scene in the manuscripts is in iambic septenarii.

With the exception of the four plays which begin with song and the *Miles gloriosus*, which has no song, the regular metrical arrangement of the opening scenes in the plays of Plautus is a passage of iambic senarii followed by song and then by septenarii. The iambic passage may be a prologue, a dialogue scene, or a combination of both; the song passage may be a short monody or a long and elaborate song sequence, but in any case the first two or three hundred lines of a play contain, without exception, senarii, song, and septenarii in that order.

Assuming, then, as it is most natural to do, that the scenes at the beginning of the *Bacchides* are arranged in this same order, the meter may be the determining factor in doubtful cases where the lines may with almost equal plausibility be assigned to different speakers and scenes. On the other hand, if the interpretation of the lines themselves as part of the exposition of the plot prevents the usual metrical arrangement, we must conclude that this is another exception to Plautus' ordinary metrical usage, and, in that case, we must compare it with the other infrequent exceptions to discover whether there is a similar explanation or not.

As an example of a case in which the meter may be the determining factor in assigning the lines, we may take fragments 3 and 4.<sup>3</sup>

<sup>1</sup> Baar, *De Bacchidibus Plautina Quaestiones* (1891); Goetz-Schoell, *Plauti Comoediae*, Vol. II (1898); Leo, *Plauti Comoediae*, Vol. I (1895); Ribbeck, "Die verloren gegangenen Scenen der Plautinischen *Bacchides*," *Rheinisches Museum für Philologie*, Vol. XLII (1887); Ritschl, "Die ursprüngliche Gestalt der Plautinischen *Bacchides*," *Opuscula Philologica*, Vol. II (1868); Ritschl, *Plauti Comoediae* (rev. Goetz, 1886), III, 1; Tartara, *Der Plauti Bacchidibus Commentatio* (1885); Ussing, *Plauti Comoediae*, Vol. II (1878).

<sup>2</sup> See my *Studies in the Songs of Plautine Comedy* (1922), pp. 7 ff.

<sup>3</sup> For convenience, the numbering of the fragments by Leo in the Oxford edition has been used.

converrite scopis, agite strenue [frag. 3]  
 ecquis evocat  
 cum nassiterna et cum aqua istum inpurissimum? [frag. 4]

They are appropriate both as the words of Bacchis, directing her slaves to prepare for the coming of guests (cf. *Pseud.* 133, *Men.* 351, *Stich.* 58), or as part of the speech of the *servus currens*, as he comes from the harbor with the news of the approach of guests (*Stich.* 347). However, if they are the words of the slave, they are usually joined with fragments 1 and 2.<sup>1</sup>

quibus ingenium in animo utibilest, modicum et sine vernilitate [frag. 1]  
 vincla, virgae, molae: saevitudo mala  
 fit peior [frag. 2]

This is obviously the conventional theme of the good and bad slave and lyric (cf. *Men.* 966, *Most.* 858, *Pers.* 7, *Pseud.* 1103, *Aul.* 587).<sup>2</sup> For that reason one must assume that fragments 3 and 4 are the words of Bacchis, belonging probably to the first scene, for if they are joined to 1 and 2 a combination of iambic and lyric lines in the same speech results.

Again fragment 15, also in senarii, quite evidently refers to Pistoclerus and for that reason has been brought in after his monody telling of his search for the sisters (frag. 17).<sup>3</sup>

Ulixem audivi fuisse aerumnosissimum,  
 quia annos viginti errans a patria afuit;  
 verum hic adulescens multo Ulixem anteit  
 qui ilico errat intra muros civicos. [frag. 15]  
 quae sodalem atque me exercitos habet [frag. 17]

But this would give senarii directly following song without any apparent reason, which is contrary to Plautus' usual custom. Consequently, we may with greater probability assign fragment 15 also to the opening scene. Apparently after giving her slaves directions about the house (fragments 3 and 4), Bacchis says that she has seen a youth haunting the neighborhood and wonders who he is, joining fragment 16 with this.

quidquid est nomen sibi [frag. 16]

In this way the entrance of Pistoclerus is directly prepared.

The play opens, then, with a monologue of the Athenian Bacchis in iambic senarii, to which belong fragment 3 and 4 and also 15 and 16. Then Pistoclerus enters with a monody telling of his search (frag. 17). Bacchis hears her sister's name (frag. 6), and they address each other.

illa mea cogominis fuit [frag. 6]

<sup>1</sup> Leo, Goetz-Schoell, Ribbeck.

<sup>2</sup> Assigned by Ussing to Pistoclerus.

<sup>3</sup> Ribbeck, Tartara, Ritschl revised by Goetz.

In the next scene the slave comes from the harbor with the conventional monody of the good and bad slave (frags. 1 and 2), tells of seeing the sister whom he recognized by her resemblance to the Athenian Bacchis (frag. 5), and describes the soldier who was with her in answer to the questions of Pistoclerus and Bacchis (frags. 7, 8, 9).

sicut lacte lactis similest	[frag. 5]
(latro) suam qui auro vitam venditat	[frag. 7]
scio spiritum eius maiorem esse multo	
quam folles taurini habent, quom liquescunt	
petrae, ferrum ubi fit	
Praenestinum opinio esse, ita erat gloriosus.	[frag. 8]
neque hau subditiua gloria oppidum arbitror.	[frag. 9]

Then the Samnian Bacchis enters, accompanied by a *puer* (l. 577), the sisters greet each other affectionately (frags. 12 and 13), and the Athenian Bacchis questions her sister (frag. 14).

cor meum, spes mea,	
mel meum, suauitudo, cibus, gaudium.	[frag. 12]
sine te amen	[frag. 13]
Cupido tecum saevit anne Amor?	[frag. 14]

So far there is no real difficulty metrical or otherwise, although there is, as always, room for differences of opinion due to subjective analysis. (For slightly different assignment of lines, see works cited.) This arrangement follows Plautus' usual procedure in giving a passage of iambic senarii, in this case a monologue, followed by what must have been a long and elaborate song sequence.

The rest of the fragments do present a real difficulty both in regard to their interpretation as part of the exposition of the plot and to their metrical harmony with the rest of the scene. It is generally agreed that fragment 19 refers to the contract between the soldier and the Samnian Bacchis.<sup>1</sup>

sin lenocinium forte conlibitum est tibi,	
videas mercedis quid tibi est aequom dari	
ne istac aetate sectere gratiis.	[frag. 19]

The fact that the tenses are present while the contract itself is considerably in the past prevents it from being, as Ritschl interprets it, the words of the soldier accompanying Bacchis from the ship to remind her of her promise. Moreover, in addition to the fact that it does not seem very probable that the soldier appeared on the stage at all in this opening scene (Ribbeck, *op. cit.*), to bring in these few iambic lines in the midst of a lyric scene would be most inconsistent with Plautus' normal procedure. This last considera-

<sup>1</sup> For an entirely different view see Ussing, *op. cit.*



tion is also evidence against the assumption that they were spoken by the *puer* who accompanied Bacchis from the ship. Unless we agree with Leo<sup>1</sup> that the problem is impossible to solve, we must, I think, accept as the only logical explanation that of Ribbeck (*op. cit.*), "dass jemand diese authentischen Worte des miles aus einem älteren Schriftstück lesend oder auch aus dem Gedächtnis wiederholt." *Jemand* must necessarily be the Samnian Bacchis in conversation with her sister, explaining the situation in which she finds herself. If we suppose that Bacchis is reading from a letter received at an earlier date, not only does the use of present tenses become normal, but the change from lyric measures directly to senarii becomes explicable. Iambic senarii are regularly used for letters in the plays of Plautus, even when this means an abrupt change in the midst of a scene from song (*Bacch.* 997, *Pers.* 501) or from trochaic septenarii (*Pseud.* 998).<sup>2</sup> This use of senarii for letters explains the use of senarii directly after song in two of the seven cases in Plautus, and it is possible that this is the third. When the conversation is resumed after the reading of the letter it is not in song but, in *Bac.* 997 and in *Pseud.* 998, in senarii and, in *Pers.* 501, in septenarii.

Supposing that in this case, as in the later passage of the *Bacchides*, the conversation is resumed in senarii, we may also assign fragment 10 to this scene.

nec a quoquam acciperes alio mercedem annum  
nisi ab sese, nec cum quiquam limares caput. [frag. 10]

It is incomplete with tenses in the past but it is quite clear that it also refers to Bacchis' contract with the soldier. Quite possibly the Athenian Bacchis is speaking to her sister in the form of a question such as "Did he exact a pledge from you that you would not accept money from anyone else etc.?"

Fragment 18, which is in iambic senarii, together with fragment 11, may also belong to this scene.

nam credo quovis excantare cor potes. [frag. 18]  
limaces viri [frag. 11]

They may very well be the words of Pistoclerus when he realizes that they are turning to him for help, for they harmonize with his attitude toward the sisters in the scene which opens the play in the manuscripts.

Unsatisfactory as is any attempt to arrange fragments because of the danger of subjective analysis, the scheme that has been suggested seems natu-

<sup>1</sup> "Ad nullam fabulae personam aut condicionem satis quadrat, fortasse servi iocantur vel prologus" (*op. cit.*).

<sup>2</sup> In *Asin.* 751 the letter is in senarii, but the change in meter has come at 746, the beginning of the scene in which the letter is read. In *Bac.* 735, however, the letter dictated is in the trochaic septenarii of the scene.

ral and simple and to do as little violence as possible to Plautus' ordinary metrical usage. It still leaves senarii following song in one case, but the interpretation of fragment 19 as a letter, which is a reasonable interpretation if not the only reasonable interpretation, is in itself a sufficient explanation of this unusual metrical arrangement and is in accord with Plautus' usage in such cases.

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#### WHY DID TIBERIUS WEAR LAUREL IN THE FORM OF A CROWN DURING THUNDERSTORMS?

We are told that Emperor Tiberius was deathly afraid of lightning (*tonitrua praeter modum expavescebat*), and that he was accustomed to wear a crown or wreath of laurel while it was thundering (Pliny *Nat. Hist.* xv. 135).<sup>1</sup> There are several references to the use of laurel to avert thunder and its ill effects.<sup>2</sup> Of the ancient idea that the laurel tree was never struck by lightning Professor M. B. Ogle writes: "We are able to appreciate the reasoning which led to this belief, for laurel was thought to be full of fire; i.e., a fiery demon was originally supposed to dwell in it, and it was imagined that the heavenly fire demon would not harm the related demon dwelling in the tree."<sup>3</sup>

Laurel did not presume, however, upon the kinship of related demons within and without, nor did it lapse into passivity. It had a natural antipathy to anything of a fiery nature and crackled on coming in contact with fires. Its hostility to fire is thus described by Pliny (*loc. cit.*): "*Laurus quidem manifesto abdicat ignes crepitu<sup>4</sup> et quadam detestatione. . . .*" Indeed, Pliny advises against igniting laurel on altars even in ceremonies of propitiation.

It is easy to understand, therefore, why the wearing of laurel was supposed to afford protection. But was there any significance in the form in which Tiberius wore the laurel? In Roman antiquity the wreath was pretty generally a sign of joy and festivity, just as it is with us. Had it always been such?

In 191 B.C., among other portents, a temple, shops, and two ships were

<sup>1</sup> Cf. Suet. *Tib.* 69.

<sup>2</sup> Pliny ii. 146; Servius on Vergil *Aeneid* i. 394; Lydus, *De ostentis* 45A; Isidore *Etymologiae* xvii. 7. 2; Columella viii. 5. 12; *Geoponica* vii. 11; xiv. 11. 5. See also Nonnus *De curatione morborum* 260 and *Rheinisches Museum*, L, 577.

<sup>3</sup> P. 296 of an article on "Laurel in Ancient Religion and Folk-Lore," *American Journal of Philology*, XXXI, 287-311. To this paper I am much indebted for several valuable references.

<sup>4</sup> On the crackling noise made by burning laurel see also Tibullus ii. 5. 81; Ovid *Fasti* iv. 742; Theocr. ii. 24.

struck by lightning. The decemvirs carried out the proper rites and made a supplication *coronati* (Livy xxxvi. 37. 1-5). Again, in 169 B.C., there were many unusual portents in Italy, including some celestial phenomena. The Sibylline books were consulted by the decemvirs, who reported that a supplication should be made, that all the magistrates should sacrifice "the greater victims" at the *pulvinaria*, and that the people in general should wear garlands (*uti . . . populus coronatus esset* [Livy xliii. 13]). The wearing of garlands is the only provision mentioned for the conduct of the people as a whole.

During the year 193 B.C. earthquakes became so numerous as to cause extraordinary alarm. Since the consuls were continually engaged in sacrifice, the senate could not be assembled, nor could public business be carried on. Finally, the decemvirs consulted the Sibylline books and in accordance with their responses a supplication was made for three days (*Coronati ad omnia pulvinaria supplicaverunt* [Livy xxxiv. 55]).

Temples, a grove, and a wall were struck by lightning in 207 B.C. (Livy xxvii. 37. 2, 7), and other prodigies occurred. In the expiatory ceremonies that followed, the decemvirs were crowned with laurel (*decemviri coronati laurea* [Livy xxvii. 37. 13]). During a pestilence in 180 B.C., all those over twelve years of age wore garlands and made supplication holding laurel in their hands (Livy xl. 37. 3).<sup>1</sup>

In the first three of the five passages I have cited from Livy no mention is made of the material composing the crowns. In the fifth passage it is not expressly stated that the crown was of laurel. It would naturally be assumed that laurel was employed in all these ceremonies, but the emphasis seems to be on the act of crowning rather than on the material.<sup>2</sup>

Since the crown, garland, or wreath is merely an elaborate circle, ring, band, or even knot,<sup>3</sup> a few examples may be cited to show how the act of inclosing or circumscribing may keep out the hostile elements. To avert thunderbolts one should surround the entire area of his plot of ground with bryony (Columella x. 346-47). The same method was employed against hail (Palladius i. 35. 1). Even binding a single vinestock with a thong warded off hail from the rest of the vines (Philostr. *Heroica* 77).

A modern parallel showing the protective power of garlands, especially as regards lightning, may be quoted here.

At Rengen, in the Eifel Mountains, the sexton rings the church bell for an hour on the afternoon of Midsummer Day. As soon as the bell begins to ring, the children run out into the meadows, gather flowers, and weave them into garlands

<sup>1</sup> Isyllus of Epidaurus tells of a procession in which crowns of laurel were worn in an effort to cause the gods to restore health to the afflicted. See Wilamowitz-Moellendorf, "Isyllus von Epidaurus," *Philologische Untersuchungen*, No. 9, p. 9.

<sup>2</sup> I am not trying to belittle the part played by laurel in expiation and purification. The article by Professor Ogle, as cited in a previous note, gives many examples of its power and its widespread use.

<sup>3</sup> See the references in the final note.

which they throw on the roofs of houses and buildings. There the garlands remain till the wind blows them away. It is believed that they protect the houses against fire and thunderstorms.<sup>1</sup>

A very important reference for confirmation of the idea advanced in this note is S. Eitrem, "Der Rundgang," *Opferritus und Voropfer der Griechen und Römer* (Christiania, 1915), pages 6-75. Scores of beliefs about the magical powers of the circle have been collected by him.<sup>2</sup> The chapter fittingly concludes (pp. 64-75) with lore of the crown.

In this reference there are given illustrations (pp. 70-71) of the apotropaic power of the crown in popular medicine. A crown of violets was effective against headache and even intoxication (Pliny xxi. 130). One made of saffron alleviated drunkenness (*ibid.* 138). Eitrem says further (67) that the object of the crown worn by the victor was to keep off Nemesis, the Erinyes, and the evil eye. This theory certainly fits in well with the purpose of the ribald jests uttered at the expense of the triumphing general, and also of the admonition of the slave who rode with him: *Respice post te, hominem te memento*. There were still other safeguards against the evil eye in the triumphal procession.

The use of the crown or wreath as a token of joy and festivity is probably its latest development. It seems to have been originally a magical circle the strength of which was reinforced by many kinds of plants and miscellaneous materials, until finally the special virtue was sometimes supposed to reside only in the things forming the circles. If Tiberius himself did not know the meaning of the circle, his ancestors did. He inherited the tradition of its use, if not the knowledge of its function. In his case the belief in the magical potency of the circle may have become dwarfed under the luxuriant foliage of the laurel.

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#### ON AIMING WEAPONS AT THE FACE

Plutarch (*Caes.* xlv. 2; xlv. 1-2) tells how at the battle of Pharsalus six of Caesar's cohorts discomfited Pompey's cavalry by using their *pila* to strike the faces of the enemy.

They had been instructed to do this by Caesar, who expected that men little conversant with wars or wounds, but young, and pluming themselves on their

<sup>1</sup> J. G. Frazer, *Balder the Beautiful*, II, 48.

<sup>2</sup> The following references are also important: J. Heckenbach, "De nuditate sacra sacrisque vinculis," *Religionsgeschichtliche Versuche und Vorarbeiten*, IX, Part III; Isidor Scheftelowitz, "Das Schlingen- und Netzmotiv im Glauben und Brauch der Völker," *ibid.*, XII, Part II; Paul Wolters, "Faden und Knoten als Amulett," *Archiv für Religionswissenschaft*, VIII, Beiheft, 1-22; L. D. Burdick, "Circular Movements and Symbols," a chapter in this author's *Foundation Rites, with Some Kindred Ceremonies* (London, New York, Montreal: Abbey Press, 1901).

youthful beauty, would dread such wounds especially, and would not stand their ground, fearing not only their present danger, but also their future disfigurement [Perrin's trans. of xlv. 2].

Other references are Plut. *Pomp.* xix. 3; lxxi. 5; Appian *Bell. civ.* ii. 76, 78; Lucan *Phars.* vii. 575; Florus ii. 13. 50 (ed. Halm); Fron. *Strat.* iv. 7. 32; Polyæn. viii. 25. Frontinus, however, says that swords were used in this way.

Mommsen, *The History of Rome* (Dickson's trans.), IV, 498, note, calls attention to the anecdotal turn in the story, since it presupposes that the Pompeian cavalry consisted principally of the young nobility of Rome. "At the most it may be that the wit of the camp gave to that simple and judicious military order this very irrational but certainly comic turn."

Accounts of this battle lay so much emphasis on the assailing of the faces of Pompey's men that it seems worth while to give a few other references to the same method of attack in other engagements. At the battle of Plataea in 479 B.C. the Spartans under Pausanias directed their spears at the faces and breasts of the Persians (Plut. *Arist.* xviii. 3). Again, at Issus the Macedonians and Persians were in such close contact that each side aimed the points of its weapons at the faces of the enemy (Curt. iii. 11. 5). The detachment of cavalry commanded by Alexander himself at Arbela thrust their spears into the faces of the Persians (Arrian iii. 14; cf. Curt. iv. 15. 31). After inflicting a number of tortures upon Philotas in an effort to make him confess the secrets of the conspiracy against Alexander, the Macedonians struck his eyes and face in general with their javelins (Curt. vi. 11. 31).

In 340 B.C. the Romans under Titus Manlius plied their javelins (*hastae*) against the faces of the Latins (Livy viii. 10. 5). During a speech intended to raise the morale of his men Germanicus told them that amid trees and thickets the unwieldy shields and the long spears of the Germans under Arminius would be ineffective, and that, since their enemies had neither helmet nor breastplate, they should strike at their faces (Tac. *Ann.* ii. 14). They did gash the faces of the Germans, and succeeded in driving them from their ranks (*ibid.* ii. 21).

Special conditions sometimes made it advisable to attack the face, but this method of fighting was good policy in general.

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### APOLLO AND ATHENA IN THE *RHESUS*<sup>1</sup>

It is not my purpose in this paper to consider the whole problem of the genuineness of the *Rhesus*, but merely to point out two previously unnoticed elements in the play which appear to have a bearing upon the question of its authorship.

In order to make my thesis clear, it will first be necessary to review in outline the evidence for the well-known hypothesis that Apollo is habitually

<sup>1</sup> This paper was read at the meeting of the American Philological Association, New York, December 27-29, 1928.

treated rather unkindly in Euripides' admittedly genuine plays, and that this unfavorable characterization is sometimes contrasted with a more flattering delineation of Athena.

The clearest evidence for this attitude on Euripides' part is found, of course, in the *Ion*. Though Apollo's cruelty to Creusa shocks Ion, who apostrophizes Phoebus in a mood of astonishment and indignation when he hears of it,<sup>1</sup> such stories were so common in Greek myth that perhaps an Athenian audience would not have been disturbed. And the fact that the one oracle that comes from the god's sacred shrine during the play is a plain falsehood<sup>2</sup> may perhaps be excused by the necessity of such untruthfulness for Apollo's benevolent purpose. But the uncomplimentary element in the characterization which it seems entirely impossible to explain away is the fact that the god is represented as more or less of a bungler. He makes a definite plan to establish Ion in the home of his mother and stepfather, while concealing his own guilt.<sup>3</sup> But certain incidents bring about the failure of this plan—incidents which the mighty god who foreknows all the future is able neither to foresee nor to prevent. And when his plan has failed, and help is urgently needed, Apollo is so ashamed of his past record in the affair that he does not appear, but induces Athena to come in his place.<sup>4</sup> After arranging affairs in a perfectly satisfactory way, she says: "Apollo hath ordered all things well,"<sup>5</sup> a statement which is obviously ironic in the circumstances. Probably Euripides intended this bit of sarcasm to be taken seriously only by the stupid but dangerous conservatives in his audience.<sup>6</sup>

The *Electra* and *Orestes* give additional evidence of Euripides' dislike of Apollo. In the *Electra* the killing of Clytemnestra is treated as a highly reprehensible act; and it is made damagingly clear, not only by the human characters, but also by the deified Castor himself, that it is Apollo who is really guilty of the crime, through the advice given by his oracle, which in this affair is far from displaying the wisdom for which it is famed.<sup>7</sup>

In the *Orestes* the same accusations are made against the god,<sup>8</sup> and we see the result of his bad advice in the degeneration of Orestes and Electra into brutality. But when this degeneration of character has reached its climax, and Orestes' sword is at the throat of the innocent Hermione, Apollo does finally intervene, providing a neat solution for all difficulties. This settlement of affairs, however, neglects entirely the element of character. Apollo does not restore to Orestes the nobility of character which has been destroyed through the advice of his oracle. He leaves him the brute that he himself has made him, and gives him as his wife the innocent girl whom he is about to slaughter, while her guilty mother Helen becomes a goddess. One does not need to be a believer in all of Professor Verrall's theories to be convinced that

<sup>1</sup> *Ion* 436-51.

<sup>2</sup> *Ibid.* 69-73; cf. 1566-68.

<sup>3</sup> *Ibid.* 1595.

<sup>4</sup> *Ibid.* 530-37.

<sup>5</sup> *Ibid.* 1555-58.

<sup>6</sup> Cf. G. Norwood, *Greek Tragedy* (Boston, 1920), p. 238.

<sup>7</sup> *Elec.* 87, 971-72, 979-81, 1190, 1245-47, 1266-67, 1296-97, 1301-4.

<sup>8</sup> *Orest.* 28-30, 76, 162-64, 191-93, 285-87, 414-20, 591-99.



Euripides did not intend this god from the machine to be taken very seriously by the more discerning portion of his audience.<sup>1</sup>

In the *Iphigenia in Tauris* we find a contrast between the effectiveness of Apollo and Athena as helpers which is comparable in some respects to that in the *Ion*. Apollo imposes upon Orestes the journey to the land of the Taurians, but gives him no help in the perils which confront him there. Orestes even suspects the god of having purposely sent him to his death.<sup>2</sup> Finally, when affairs are in such a desperate plight that only the direct intervention of a divinity can prevent disaster, neither Apollo nor Artemis, to whom Iphigenia prays, gives any aid, but Athena once more appears to set everything right in a moment.

In the *Andromache* we see Apollo no longer urging Orestes to wickedness, but abetting him in the evil plot into which his brutality has now led him; namely, the murder of Neoptolemus at Delphi. The god is bitterly reproached for this by the messenger, who concludes his indignant words with the question which seems to occur to the minds of Euripides' characters so frequently: "How then can he be wise?"<sup>3</sup> The same attitude of reproach toward Apollo is taken by Peleus, and by Thetis when she appears from the machine.<sup>4</sup>

In the *Alcestis* we have no open attack on Apollo; yet he appears somewhat at a disadvantage as compared with Heracles. Apollo cheats the Fates to obtain a boon for Admetus, and then attempts to win another favor by cheating Thanatos; he fails in this, and can only prophesy that a hero, Heracles, will do what he, the god, is unable to accomplish.<sup>5</sup> As the play develops we see that the boon obtained by Apollo is really a curse to Admetus, and that his only true benefactor is Heracles.

In these plays, then, the unwisdom of Apollo and his ineffectiveness as a helper seem to be emphasized, and in two cases these characteristics are contrasted with Athena's willingness and effectiveness in aiding her friends.

Turning to the *Rhesus*, we find a plot taken from the story of the Trojan War, in which, of course, Apollo and Athena favored opposite sides; and therefore, wherever both are active, they will be found in direct conflict.

In the source of the plot of the *Rhesus*, *Iliad*, Book x, Athena actively assists the Greeks, as she does in the play. Apollo takes no part in what happens, in the Homeric version, but we are told that he is displeased at Athena's activities, and, after all is over, he awakens a kinsman of Rhesus, who discovers the body of the slaughtered king.<sup>6</sup> Obviously the story as found in the *Iliad* already contains the type of implied contrast between the two divinities which would make it attractive to Euripides.

At any rate, the author of the *Rhesus* has noticed the contrast between them in the Homeric account, but has introduced it into his play by different

<sup>1</sup> See A. W. Verrall, *Essays on Four Plays of Euripides* (Cambridge, 1905), pp. 256 ff.

<sup>2</sup> *Iph. Taur.* 77-79, 711-15.

<sup>4</sup> *Ibid.* 1211-12, 1239-41.

<sup>6</sup> *Iliad* x. 515 ff.

<sup>3</sup> *Androm.* 1161-65.

<sup>5</sup> *Alc.* 64-71.



means from those used by Homer. In the *Rhesus* we find no late appearance of Apollo to assist in the discovery of Rhesus' slaughter. In fact, the god does not appear in the play at all, but the author has found means to make his absence very noticeable. In the first place the choral song which begins at line 224 is a formal and definite prayer to Apollo to protect Dolon and bring him back in safety. Second, the Trojan army puts itself under the god's special protection by choosing as the countersign for the night the word *Phoebus*.<sup>1</sup> But the god is asleep or gone on a journey. Diomedes and Odysseus capture Dolon, learn the watchword from him, and kill him. Then, by the advice and present help of Athena, they are enabled to kill Rhesus also, and their knowledge of the watchword *Phoebus* makes their escape possible. Here we have the contrast between the two divinities made clear to the discerning spectator by a rather subtle method which is characteristic of Euripides.

One further point about Apollo's inactivity deserves attention. When the Muse, Rhesus' mother, appears from the machine, she speaks of vengeance for her son's death as follows: "The son of the sea-queen too must die. . . . Pallas shall not save him—Pallas, who murdered thee; such a shaft hath Loxias' quiver for him."<sup>2</sup> Here we have, plainly stated, the hostility and rivalry between the two divinities. Athena's victory has been shown in the play, but Apollo's later triumph is prophesied. Apparently the gods are mighty in attack, but powerless or inactive in defense—a state of affairs which seems rather unfortunate for the human agents in their conflicts. Such a view of the gods of Greek myth was, of course, exactly that taken by Euripides. In fact, a close parallel to this particular case and a clearer statement of the general principle are found in the *Hippolytus*. There the problem is: Why did not Artemis save her devoted worshiper Hippolytus from the vengeance of Aphrodite? When Artemis appears from the machine she excuses herself for her neglect in these words: "Cypris willed that these things happen so, to glut her wrath. And this is the law [*νόμος*] among the gods: none presumes to thwart the plan willed by another, but we stand aloof." And later the goddess says that she will avenge Hippolytus' death upon a favorite of Aphrodite, thus completing the parallel with the *Rhesus*.<sup>3</sup>

These two elements in the play, the contrast between Apollo's inactivity and Athena's helpfulness, and the prophecy of Apollo's vengeance, which must be explained by reference to the *Hippolytus*, seem characteristically Euripidean, yet are introduced in too subtle a manner to be conceivably due to a later imitator of Euripides. Perhaps it is going too far to assert that these points demonstrate the Euripidean authorship of the play, but surely they deserve consideration in any general treatment of the problem of its genuineness.

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<sup>1</sup> *Rhesus* 521, 573, 688.

<sup>2</sup> *Rhesus* 975-79.

<sup>3</sup> *Hippol.* 1327-30, 1416-22.

## BOOK REVIEWS

*Founders of the Middle Ages.* By EDWARD KENNARD RAND. Cambridge: Harvard University Press, 1928. Pp. ix+365.

The eight chapters of this book were delivered as lectures before the Lowell Institute last year, and are here produced substantially as they were delivered. The theme of the book is the origins of Christian humanism. In tracing this intellectual movement it is a bit startling to discover the author beginning with Paul, whose address on Mars Hill is said to have laid the foundation of Christian humanism (pp. 34-35). The thread, however, is a slender one until the post-Nicene period is reached, when firmer ground is attained with Lactantius, of whom much is made, Ambrose, Jerome, and Augustine. "If we begin with the writers of the Middle Ages," it is said, "and attempt to ascertain the mind of the mediaeval Church about pagan literature, we shall be balked of our quest if we do not realize that *before* the Middle Ages the problem had been stated and solved" (p. 280). The current of Christopagan literature is found to run on relatively unruffled through Ausonius, Sidonius, Boethius, and Cassiodorus until the cleavage between the influence of the last and Gregory I—the old quarrel between philosophy and poetry in a new guise (p. 249). The pope is represented as typically anti-humanistic, but his authority was neutralized by the fact that "the Middle Ages apparently discounted his protests" (p. 281). In this attitude toward classical culture Gregory the Great is regarded as a "modern" (not a "modernist") of his time (p. 22), who had a "modern" programme of education, and wished to appeal to "sentiments of loyalty and faith, to the religious nature of the young through literature of immediately contemporary material . . . that breathes no suggestion of the past" (p. 28). The heart of the book, and Professor Rand's intellectual and spiritual hero of the age before Alcuin and the Carolingian Renaissance, is Boethius (chap. v), next to whom comes Prudentius. The discussion of both of these is singularly sympathetic.

The author anticipates, and partly disarms, adverse criticism of his readers by saying that "the views here represented are open to criticism at many points" (Preface). Perhaps no one of his views will excite so much question as the contention that a truly classical culture may exist without Greek. He quotes with a relish the comment of a young Harvard student to Professor Norton: "I am tired of the Greeks," and adds: "I am going to let the Latins speak for themselves, just as if—blasphemous thought!—the Greeks did not exist at all [though] I may have to mention the latter now and then" (pp. 7-8).

Like all that comes from Professor Rand's pen, this work abounds with erudition; but an erudition illuminated by effulgence of imagination and adorned with that happy gift of expression for which he is the object of generous envy by those who know him. But the load of learning is relegated to notes to each chapter in the back of the volume. Not the least pleasurable item in the book is the irony which is sometimes found. Thus, writing of Tertullian, it is said that "his paradoxes suggest those of Mr. Chesterton, save that the latter are as thin as watered beer—I use a simile that Chesterton might approve—in comparison with the flaming impossibilities of his ancient prototype" (p. 39). Again, we come upon this refreshing comment on critical method: "Interpolation is often a useful theory for a small mind that cannot put together all that there is in a great one" (p. 295).

The author says that Gregory I knew no Greek, but thinks he must have had some slight knowledge of the language to be an acceptable envoy at the Byzantine court (p. 23). The evidence of his letters, however, shows that he was totally ignorant of Greek. His *Epp.* vi. 29 and xi. 55 indicate that he knew not even the rudiments of the language. In iii. 63, he refuses to reply to a lady who wrote to him in Greek, and he frequently complains of the badness of the interpreters (*Epp.* i. 28; vii. 27; x. 14, 21; cf. *Joh. Diaconus. Vita* ii. 14). It is a fact not without significance that Alexander of Tralles, a famous Byzantine physician and writer on pathology and therapeutics—"the first original physician since Galen"—settled down in Rome during Gregory I's pontificate and died there in 605, yet there is no evidence that the pope ever knew him.<sup>1</sup>

One constantly comes upon brief, suggestive comments or bits of recondite information that are of interest. Examples are: the idea of progress in the church (pp. 17, 31); the influence of Gregory the Great on the dream literature of the Middle Ages (p. 31); the suggestion that "the Sibyl owes much to Lactantius for the importance that the Middle Ages gave her in theology, in drama, and in art" (p. 52), a statement which M. Emile Mâle has abundantly proved, at least for the history of mediaeval art; the evidence from Ambrose about reading in silence (p. 100); the information concerning libraries, of which we would wish for more (pp. 219, 332); Ambrose's love of nature, especially of the sea (p. 97).

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*Dacia: An Outline of the Early Civilizations of the Carpatho-Danubian Countries.* By VASILE PÂRVAN. Cambridge University Press; New York: Macmillan Company, Agents, 1928. Pp. x+216. 16 plates.

This book, based upon a course of lectures delivered at Cambridge University in 1926, was prepared for publication in the few remaining months

<sup>1</sup> See George Sarton, *Introduction to the History of Science*, I, 453.

of the author's life and appeared after his death. The writer was a professor in the University of Bucharest, and director of the Roumanian School in Rome. The reviewer cannot determine whether the volume was written in Roumanian or in French, but it was translated into English by Messrs. I. L. Evans and M. P. Charlesworth, of St. John's College, Cambridge.

In a series of five chapters we have here a most interesting account of the culture of the Danubian lands of Central Europe from the Bronze Age to Roman imperial days. It is disappointing, however, to find that no introductory chapter deals with a still earlier culture, for Butmir and other prehistoric sites in Bosnia and Serbia, well represented in the museums of Sarajevo and Belgrade, illustrate the neolithic culture of an adjacent territory, and the author himself refers to the beautiful painted as well as incised pottery of the earliest inhabitants of the region with which he deals. As it is, the book opens upon the close of the second millennium B.C., when the Carpathian territory, inhabited by a Thracian folk, undisturbed by invasions or devastations, exhibits artistic works in bronze which are similar to those found in Bohemia and Western Hungary and indicate a continuity with Western culture which is maintained through all later Dacian history. As early indeed as 100 B.C. there must have been a brisk trade between the Dacians and Italo-Illyrian merchants, who brought into the country bronzes of Atestine, Villanovan, and Etruscan workmanship, which the Dacian nobles eagerly purchased. Varian's *cistae*, *situlae*, cauldrons, breastplates, helmets, and greaves, adorned with reliefs in *repoussé*, survive as evidence of this fact.

In the eighth century B.C. the Dacian population was disturbed by advancing Cimmerians and Scythians. The latter invaders apparently destroyed the Thracian aristocracy, but the Dacian masses survived the shock, and in time even absorbed the Scythians into their ranks.

Mycenaean and even Minoan products have been found in this region, but no Greek colonies were established on the western or northern coasts of the Black Sea before the latter half of the seventh century B.C. From this time on the Greeks advanced up the Danube, and under their influence, as we may infer from Herodotus, the Scythian chieftains in Dacia became completely Hellenized. The populace, however, were not deeply affected by the Greeks, for though they bought Greek wine and Greek ornaments, their own industries of pottery and metal-work were carried on under methods learned from the western Celts.

It was through these Celts that Roman commerce first penetrated into Dacia some two centuries before Christ, and in his last chapter Professor Pârvan, in a most interesting way, traces the influence of Roman culture upon Dacia, and shows that the land was already, in a cultural sense, a Roman country long before it was conquered by Trajan and made a Roman province. Dacia's culture, in fact, from the Bronze Age on was Western rather than Eastern, and even when Christianity appeared, it too came dressed in a Western garb. The apostle to the Dacians was a Latin, Bishop

Nicetas of Remesiana, and Ulfilas, the Goth, preached to the people in Latin. Roumanian ecclesiastical terms are often Latin in origin, where even French and Italian are Greek. Thus beside *église* and *chiesa* we have the Roumanian *biserica*, derived from the Latin *basilica*, a word of Greek origin, to be sure, but naturalized in Rome.

It is to be hoped that this inspiring book will arouse in America some interest in the antiquities of Roumania and adjacent countries.

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*Sicconis Polentoni Scriptorum Illustrum Latinae Linguae libri XVIII.*

Edited by B. L. ULLMAN. "Papers and Monographs of the American Academy in Rome," Vol. VI. American Academy in Rome, 1928. Pp. lii+520. 5 plates and a page of errata.

There is no field which offers greater opportunities for the editing of critical texts than that of the period of the Revival of Classical Antiquity. Of the many humanists who lived and worked in the fifteenth and sixteenth centuries barely a handful are available in convenient and authoritative editions. It is a pleasure, therefore, to welcome the imposing edition of Sicono Polenton's *History of Latin Literature from Livius Andronicus to Petrarch*—prepared by Professor Ullman in 1925-26 with the collaboration of his pupils at the American Academy in Rome—not only for its own merits, but also as an indication of the opportunities which await the classicist in this field of study.

In the Introduction Professor Ullman has treated of the Revival of Learning and Padua's part therein, of Polenton's life and works, of the MSS and editions of the work here edited, of the sources, of Polenton's latinity and orthography, and of other details.

Professor Ullman has good precedent for using the term "Revival of Learning" for the activities of the Italian humanists. Nevertheless it is a misleading phrase which does not deserve currency. Surely there was no lack of learning previous to the Renaissance; on the contrary, there was too much of it! The intellectual life of the Middle Ages may fairly be regarded as tending to overerudition and pedantry within circumscribed fields. The achievement of the Renaissance should rather be called the "Extension of Learning," or the more specific terms current in Germany and Italy should be adopted in English—"Revival of Classical Learning" (though even that is a relative matter) or "Revival of Classical Antiquity."

More might be made—and perhaps will be made in further studies by the editor and his pupils—of the significance of the medieval and Renaissance Latin authors whom Polenton deemed worthy of mention in his history of Latin literature.<sup>1</sup> The problem of what the humanists regarded as the extent

<sup>1</sup> See p. xiii, third paragraph; also p. v, second paragraph.

and range of Roman literature is an interesting and important one. They certainly included themselves among the elect. How many of the writers of the Middle Ages did they include and why?

On pages xiii-xiv Professor Ullman gives an outline of the contents of Polenton's work. He says: "At the end of book II [corrected to III in the list of errata] is a section on Roman magistrates, inappropriate to the work as a whole and especially at this point." That it is inappropriate at this point I would agree, for it comes in the middle of the section dealing with the Roman poets and follows immediately upon the discussion of Horace! Polenton, however, begins this digression with the following words (p. 97, l. 32):

Sed magistratus Romanos interea videamus. Neque vero intelligendas ad vitas illustrium scriptorum inutilis erit haec noticia magistratus,<sup>1</sup> praesertim cum fiat de illis saepenumero mentio. Nec plebeium auctorem illum [i.e., above-mentioned] sed hac in re, ut soleo in caeteris, aut magnum illum Romanae historiae parentem, T. Livium, Paduanum nostrum, aut alium quemquam ex illis qui clari sunt inter scriptores sequar. Ipsi enim a fundamentis atque urbis origine, ut planius res pateat et habeatur sub oculis, ordiar. Quae autem dicturi sumus, ea, ne digredi longius quam liceat videamur, absolvemus paucis. Non enim gesta eorum sed nomen, originem, officium memoramus.

Surely Polenton has here justified the general appropriateness of his digression, and obviously it is out of place where it stands. It needs no great acumen to conjecture that this excursus (whether it was originally intended to be an independent work or not) appropriately goes with the account of the historians. There is further evidence that it is now out of place in the phrase *nec plebeium auctorem illum . . . sequar*, for the preceding author is Horace, who is neither an authority on Roman history nor *plebeius*—which word Polenton regularly uses in the disparaging sense of "common," "ordinary."<sup>2</sup> The solution of the difficulty is to be found in Polenton's Epistle xx (to which I have just referred), wherein he briefly outlines the contents of his *magnum opus*:<sup>3</sup> "Poetis succedunt prosaici. Horum autem historici primum libris quatuor memorantur. . . . Se annectit istis plenius utique et<sup>4</sup> romanorum magistratum dignitas, potestas, origo. Se quoque annectunt, qui rerum gestarum tempora . . . scribunt." Thus Polenton himself indicates that his excursus on the Roman magistrates belongs between the historians proper and the chronologers,<sup>5</sup> i.e., on page 224 after line 32. And the *plebeius auctor* is seen

<sup>1</sup> Should this be emended to *magistratum*?

<sup>2</sup> Cf. Epistle xx, in *La Catinia, le Orazioni, e le Epistole di Sico Polenton* (ed. A. Segarizi; Bergamo, 1899), p. 123, l. 27: "Claros ubique auctores, nusquam plebeios sequor."

<sup>3</sup> *Op. cit.*, p. 123, ll. 1-12.

<sup>4</sup> The words *plenius utique et* are unintelligible; they bear a suspicious resemblance to *ut planius res pateat* in the text (xcviii. 4).

<sup>5</sup> Should not the first word of the section on chronologers (l. 33) be emended to *nunc*?



to be the historian Boccaccio! This does not mean that Boccaccio actually wrote a treatise on Roman magistrates, but simply that he dealt in part with Roman history—and Polenton does not wish his readers to draw any unjust inference from propinquity. The important question for further study will be to see whether there are any evidences of misplacement of gatherings in the autograph MS Vat. Ottobon. lat. 1915, on which Professor Ullman has based his text; and also to investigate the Modena MS Estens. lat. XVII, GG. 23, which contains only the treatise on the magistrates.

Professor Ullman's discussion of the MSS and their relations is most thorough. I would note only the following minor points: (1) The statement in footnote 2 on p. xvi is not convincing: "R cannot be a copy of the Antoniana manuscript because in 67. 16 R has *methamorphoseos* and the Antoniana manuscript has *metaphmorphoscos*." The occasional garbling of a familiar proper name is no sure clue to relationship. (2) The quotation from Scardeonius in footnote 4 on page xvi would be clearer if the grammatical context of the first clause were given. Perhaps it has none, but if so there should be some explanation.

Professor Ullman displays an excellent command of the bibliography of the subject. There is, however, more or less dissimilarity in the bibliographical entries. Consistency should be insisted upon by the editors of the series. As a matter of typography I find the use of bracketed full-sized numbers for footnotes confusing. Small superimposed numbers are more distinctive.

Professor Ullman is to be congratulated on carrying so extensive a work to successful completion, and his students at the American Academy are to be congratulated on having had the opportunity of being apprenticed to Professor Ullman in his workshop.

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*Die antike Menschheitsidee in ihrer geschichtlichen Entwicklung.* By  
MAX MÜHL. Leipzig: Dieterich'sche Verlagsbuchhandlung, 1928.

It is not easy to review fairly popular cross-section books on some cultural or ideal aspect of ancient civilization. They all resemble one another in that, like too many doctoral dissertations, they work by association of ideas rather than by the strict logic of relevance and supplement the paucity of evidence by bringing in every interesting or edifying text that can be remotely connected with their theme.

And so while recognizing that this is a valuable volume in an excellent series, and that the some four hundred *Anmerkungen* of the Appendix make it more useful to the scholar than are the volumes of our American series, I am tempted to do an injustice by making it the text of my critical preference for stricter relevance. The subject does not really need to be framed in another outline of the course of Greek philosophy from the pre-Socratics to Marcus Aurelius. The pre-Socratics have as little to do with it as they have with most



of the books in which they figure as an obligato introduction from the literature of the Christian Fathers to the present day. The scientific or philosophic divination of the unity of the universe and of all its wisdom, "monism" as it is fashionably designated, is associated with the idea of a humanitarianism that transcends tribal and natural boundaries only by sentimental afterthought. The historian may recognize the fact of this fanciful association in the rhetoric of the Stoics and Posidonius. But he should keep the two ideas distinct and not confound the history of the one with the other. I admit that few writers practice this self-denial. Professor Gulick in his interesting essay on notions of humanity among the Greeks<sup>1</sup> keeps pretty closely to his theme. But I was unable to limit in this way the expatiations of the Introduction to Mr. W. P. Clark's solid, but unfortunately unpublished, Chicago dissertation on "Benefactions and Endowments in Antiquity." It is perhaps unreasonable then to carp at the extension which Dr. Mühl has given to his subject. He has made a readable discursive book. What more can we ask?

Criticism of detail would concern itself with the interpretation or relevancy of particular texts. I note only a few instances that have caught my eye. Page 10: "So zersetzend die Theorie des Hippias auf die Staatsidee wirken musste, es wohnt ihr doch ein tieferer ethischer Gedanke inne. die kulturelle Idee allgemein menschlicher Zusammengehörigkeit. Hippias führt das Problem menschlicher Gemeinschaft in neue Bahnen und hinterlässt mit seiner Lehre den Späteren ein fruchtbares Problem." This is merely anti-Platonic hypothesis. We know little of Hippias beyond what Plato tells us. And if we read profundities into the catchwords of Plato's parody of his style it is because we are following the fashion of rehabilitating the Sophists against the "reactionary" Plato.

Page 26: The representation of Plato as almost a modern pacifist whose slogan is "Krieg dem Kriege" should be qualified by his insistence on "preparedness" in the *Laws*.<sup>2</sup>

The author follows the recent fashion of doing something more than justice to the worthy Isocrates.

Page 65: The six pages of rhetoric and conjecture about Posidonius, "einen wahrhaft universellen Denker . . . einen glänzenden Vertreter der Wissenschaft, Philosophen und Mystiker," may be left to the competent hands of Professor Roger Jones.<sup>3</sup>

I am pleased to see that Dr. Mühl rejects the interpretation of Jüthner and others that sees in the purely logical observation of *Politicus* 262 A ff. a repudiation of the discrimination between Greeks and barbarians in the *Republic*.

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<sup>1</sup> *Harvard Essays on Classical Subjects*, apparently not known to Dr. Mühl.

<sup>2</sup> Cf., also apparently unknown to Dr. Mühl, Dr. Wallace E. Caldwell's *Hellenic Conceptions of Peace*, "Columbia University Studies in History, Economics, Politics and Law," LXXXIV, No. 2 (1919), 34 ff.

<sup>3</sup> Cf. *Class. Phil.*, XVIII, 202 ff.

*Der Aufbau des Pindarischen Epinikion.* By WOLFGANG SCHADEWALDT. (Schriften der Königsberger Gelehrten Gesellschaft, Geisteswissenschaftliche Klasse, 5. Jahr, Heft 3.) Halle: Max Niemeyer Verlag, 1928.

This study is the work of a pupil of Professor Jaeger and an admirer of Professor Wilamowitz to whom it is dedicated. It will interest those who believe that it is possible or desirable to determine by rigid philological analysis the precise amount and kind of unity which may be found in, or read into, an elaborate lyric. The unity of a Pindaric ode the author believes has two aspects, that of the *Programm* or the schematic unity of the traditional ordering of the inevitable topics of a hymn in praise of a victorious athlete and the higher spiritual unity of the poet's mood and purpose in the treatment of his theme and selection of a myth which it is for us to divine. The study of the structure of a Pindaric ode is mainly the observation of the conflict and interaction of these two influences. It should be uncompromisingly scientific (p. 290): "eine, ob positiv, oder negativ zu bewertende Willkür des dichterischen Ingeniums ist aus der Pindarinterpretation zu entfernen."

In confirmation of this thesis the writer studies the *Programm* and the deviations from it in some of the earlier odes, submits the seventh Nemean to an exhaustive analysis, and finally considers the *Programm* in the riper art of Pindar's latest poems. He is acquainted with the German literature of the subject, but very perfunctorily, if at all, with any other. His allusions to Croiset are slight. He mentions Gildersleeve incidentally once, but evidently does not know his analysis of the seventh Nemean<sup>1</sup> or the brilliant introductions to his edition of the Olympian and Pythian odes which are all that the English-speaking student needs of this kind of ingenuity. He refers to Jebb's *Bacchylides*, but does not know the admirable characterization of Pindar in his Baltimore lectures on Greek poetry or in that essay in the third volume of the *Journal of Hellenic Studies* which is or should be the *vade mecum* of every Pindaric student. There is no reference to any other English, American, or Italian work.

Abundant footnotes discuss disputed questions of text and interpretation largely, though not always, in agreement with Wilamowitz. There are some useful or curious observations on Pindaric usage. It is true that Pindar makes less use of antithesis than Simonides. I wonder if it is really because for Pindar "die Begriffe feste Wesenheiten sind" (p. 307). On page 299 we are told that Pindar's metaphors are purely intellectual and never "verschmelzen in der unteilbaren, Stimmungseinheit des Ich." There is a useful note (p. 278) on what the author calls the *χρῆσις*—*Vorstellung*. It is interesting to compare the definition of *χάρις* on page 277 with some English interpretations of that many-sided word. *χάρις* "bezeichnet," we are told, "ein bestimmtes Verhältnis von Menschen zu einander, und zwar einen Idealen

<sup>1</sup> Cf. "The Seventh Nemean Revisited," *AJP*, XXXI, 125 ff.

Mittenzustand von Freiheit und Gebundenheit, von Selbständigkeit und Zugehörigkeit, eine auf irgend welcher Gegenseitigkeit beruhende freie Leistung." On the other hand, Professor Murray tells us that the *χάριτες* are "the spirits of fulfilled desire." Mr. John Morley says that the Greeks meant by *χάρις* "a suffusion of charmed equanimity," and Ruskin more prettily tells us that the Greek *χάρις* "includes both the bestowing of beauty and mercy."<sup>1</sup>

It is not necessary to spend many words on the unnecessary emendation on page 326 of *Pyth.* ii. 85, from *ἀλλ' ἄλλοτε πατέων ὁδοῖς σκολιαῖς το πατέονθ'.* To begin with, the accusative yields an order of words for the thought which, if not impossible, is very improbable Greek. But apart from that, Pindar was presumably unconscious of the contradiction which modern interpreters find between his commendation of the outspoken straight-tongued man under every government, and his counsel to dash upon your enemy like a wolf treading in devious pathways. This morality would have troubled no Greek from Odysseus to Theognis 363. The Greek scholion says *εὐθὺν χορὴ τὸν ἐταῖρον ἔμμεν.* But no Greek before Plato would have objected to tricking a foe. Pindar himself says, "Stick at nothing to down an enemy."<sup>2</sup>

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*Aus einer alten Etruskerstadt.* By FREDERIK POULSEN. Copenhagen:

Andr. Fred. Host and Son, Kgl. Hof-Boghandel, 1927. 51 plates.

Readers who are familiar with Professor Poulsen's *Delphi* and *Etruscan Tomb Paintings* will welcome any new contribution from his pen. The present work presents a critical description of some recent acquisitions by the Ny Carlsberg Glyptotek of Copenhagen. Among these are Greek vases, such as the amphora, cylix, hydria, lecythus, oenochoe, stamnos, and pelike, with representative work of Macron, painter for Hieron, and of the Cleophon-painter. There are Etruscan bronzes, of which one would note particularly a helmet, a decorative figure representing a discus-holder, a lampstand in the form of a male figure carrying a ram, and two beautiful ladles, archaic in style but of excellent workmanship. There are likewise some interesting Etruscan terracotta figures, among which three antefixes in the form of a female head are especially attractive. Both students of classical art and of private life will find the perusal of this volume well worth their while.

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<sup>1</sup> Cf. further Hewitt, "The Terminology of Gratitude in Greek," *Class. Phil.*, XXII, 142.

<sup>2</sup> *χορὴ δὲ πᾶν ἔρποντα μαυρῶσαι τὸν ἐχθρόν* (*Isth.* iii. 66).

